



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शनिवार, १३ सितम्बर, १९९७/२२ भाद्रपद, १९१९

हिमाचल प्रदेश सरकार

TRANSPORT DEPARTMENT

NOTIFICATION

Shimla, the 22nd July, 1995

No. 5-14/88-Tpt-Part-II.—The following draft of rules, which the Government of Himachal Pradesh proposes to make in exercise of the powers conferred by sections 28, 38, 65, 93, 95, 96, 107, 111, 138, 146, 176 and 213 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988), and all other powers enabling him in this behalf is hereby published, as required by sub-section (1) of section 212 of the said Act, for the information of all persons likely to be affected thereby.

Notice is hereby given that the draft will be taken into consideration by the Government on or after the expiry of a period of thirty days from the date of publication of this notification in the Official Gazette, together with any objection or suggestion, which may be received by the

Secretary (Transport) to the Government of Himachal Pradesh, Shimla-171002, from any person within the period so specified with respect to said draft, namely :—

DRAFT RULES

Chapter-I

PRELIMINARY

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Motor Vehicle Rules, 1991.

(2) They shall come into force from the date of their final publication in the Official Gazette.

2. *Definitions.*—(1) In these rules unless there is anything repugnant to the subject or context.

- (a) "Act" means the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988);
- (b) "Board of Inspection" means a Board of Inspection appointed under rule 38;
- (c) "Central Rules" means the Central Motor Vehicles Rules, 1989;
- (d) "Chapter" means the chapter of these rules;
- (e) "Director" means the Director of Transport, Himachal Pradesh appointed as such by the Government;
- (f) "Government" means the Government of the State of Himachal Pradesh;
- (g) "Passenger" for the purpose of Chapter V, means any person travelling in public service vehicle other than the driver or the conductor of such vehicle or any other employee of the permit holder while on duty;
- (h) "Section" means a section of the Act;
- (i) "State" means the State of Himachal Pradesh;
- (j) "Stand" means a place duly appointed as a stand under Chapter IX of these rules;
- (k) "Transport Company" means a transport company registered as such under the Companies Act, 1956 (1 of 1956);
- (l) "Transport Co-operative Society" means a transport co-operative society registered as such under the provisions of the Himachal Pradesh Co-operative Societies Act, 1968 (3 of 1969);
- (m) "Transport Firm" means a transport firm registered as such under the Indian Partnership Act, 1932 (9 of 1932); and
- (n) "Urban Area" means the area administered by Municipal Corporation, Municipal Committee, a Notified Area Committee or Cantonment Board or any area declared by the State Government as an urban area for the purposes of the Act and these rules.

(2) All other words and expressions used in these rules but not defined herein shall have the meanings respectively assigned to them in the Act and the central rules.

Chapter-II

LICENSING OF DRIVERS OF MOTOR VEHICLES LICENSING AUTHORITY

3. (1) Each of the Sub-Divisional Officer (Civil) shall be the Licensing authority for the area of the Sub-Division of the District for which he is appointed as such, to issue licenses under

Chapter II, or as the case may be, Chapter-III of the Act and includes such other officer who is appointed in this behalf by the Government.

(2) The area of jurisdiction of each Licensing authority shall be the area of the Sub-Division of the district for which he is appointed as such or such other area as may be specified by the Government in this behalf.

4. *Procedure for processing application for driving licence.*— On receipt of an application for grant of a learner's licence or a driving licence, as the case may be, in terms of the provisions of section 8 or section 9, the licensing authority shall forward the application so received to the Superintendent of Police of the District concerned, who shall make such enquires as may be deemed necessary to verify the particulars given in the application and the antecedents of the applicant including the address given in the application and shall also ascertain as to whether the applicant is not disqualified or liable to be disqualified for holding a learner's licence or a driving licence as the case may be and send his report to the Licensing Authority and on receipt of the report of the Superintendent of Police the Licensing Authority shall process the application for the grant of a licence under the provisions of the Act.

Section 8 & 9

(3) No licence granted under section 9 of the Act shall improve any person to drive a public service vehicle on any road in Himachal Pradesh unless his licence has been endorsed "for driving on hill roads" by the Licensing Authority.

Explanation.—For the purpose of this rule the expression "hill roads" shall mean all roads in the State, but shall not include the roads which may be declared by the Government by a notification in the Official Gazette as "plain roads".

5. *Test for driving licence.*—(1). If the application for grant of a licence is found, in order in terms of the provisions, of rule 4;

- (a) the test for a learner's licence specified in rule 11 of the Central rules, shall be conducted by the Licensing Authority; and
- (b) the test for a driving licence specified in rule 15 of the central rules shall be conducted by the Motor Vehicles Inspector or such other officer who is appointed in this behalf by the Government:

Provided that the Licensing Authority may, for reasons to be recorded in writing, have more than one test of competence to drive.

(2) For the purpose of tests in term of sub-rule (1), the applicant shall produce himself at such time and place as may be specified by the Licensing authority and bring with him a serviceable vehicle of the class to which the application belongs for testing purposes.

6. *Photograph to be signed by the licensing 28 Authority.*—(1). The photograph of the holder of the licence when affixed to the licence shall be sealed with the seal of the Licensing authority in such a manner that a part of the impression of the seal is upon the photograph and part on the margin.

(2) If at any time it appears to the Licensing authority that the photograph affixed to a licence has ceased to be a clear likeness of the holder the Licensing Authority may require the holder to surrender the licence forthwith and to furnish two clear copies of a recent photograph of himself and the holder shall, within such time as the Licensing authority may specify, appear in person before the Licensing authority and present the photograph accordingly.

(3) Upon receipt of the copies of the photograph in terms of the provisions of sub-rule (2), the Licensing authority shall remove the old photograph from the licence and affix the seal thereto on one copy of the new photograph and return the licence to the holder of the licence and shall, if he is not the Licensing authority by whom the licence was issued, forward the second copy of the photograph to that authority :

Provided that if the holder of the licence so desires, the Licensing authority shall issue a duplicate licence with the new photograph affixed thereto and shall destroy the original licence.

(4) When a new photograph is affixed to a licence, a note shall be made upon the photograph of the date of affixure.

(5) The fee for a duplicate licence issued under the provision to sub-rule (3) shall be rupees ten.

Section 28,

7. *Appellate Authority.*—The appellate authority for the purposes of such section (7) of section 17 and sub section (3) of section 19 shall be the Chairman of the State Transport Authority.

Sections 17, 19 and 28.

8. *Conduct and hearing of appeals.*—(1) An appeal under sub-section (2) of section 17 and sub-section (3) of section 19 shall be preferred in duplicate in the form of a memorandum one copy of which shall bear a cash receipt or a treasury challan of rupees fifteen, setting forth concisely the grounds of objection to the order of the Licensing authority and shall be accompanied by a certified copy of the order appealed against.

(2) When an appeal is preferred under sub-rule (1) a notice shall be issued by the Appellate authority to the Licensing authority concerned in such form as the Appellate authority may specify.

(3) The Appellate authority after giving an opportunity to the parties to be heard and after such further enquiry, if any, as it may be necessary, may confirm, vary or set aside the order against which the appeal is preferred and shall make an order accordingly.

(4) Any person preferring an appeal under sub-rule (1) may obtain a copy of any document filed with the Licensing authority in connection with the orders appealed against on payment of a fee at the rate of rupees two per page.

(5) Any person preferring an appeal as aforesaid shall be entitled to inspect the file of the Appellate authority by making an application bearing a cash receipt or a treasury challan of,—

(a) in respect of urgent inspection, rupees ten; and

(b) in respect of ordinary inspection, rupees five.

(6) A copy of the order made by the Licensing authority in appeal may be obtained on payment of a fee at the rate of rupees two per page.

Section 28 (2) (b)

9. *Authority for making appointment of registered Medical practitioner.*—(1) The chairman of the State Transport Authority in consultation with the Director of Health Services Himachal Pradesh shall be the authorised person to appoint the registered medical practitioners for the purposes of sub-section (3) of section 8 (2) Section 28 (2) (e).

The fee payable for the issue of medical certificate under sub-section (3) of section 8 shall be rupees fifteen and shall be deposited under the appropriate Head of Account of Deptt. of Health and Family Welfare of the Government where the examination is considered by Government Doctor.

Section 28 (8) (c).

10. Licences lost or destroyed.—(1) If at any time the licence is lost by the holder or is destroyed, the holder thereof shall forthwith intimate the facts in HP form I LLD or in a letter setting out the particulars required by the HP Form I LLD to the Licensing authority in whose area he has his place of residence.

(2) Upon the receipt of intimation under sub-rule (1), the Licensing authority shall, if he is not the Licensing authority by whom the licence was issued, apply to that Licensing authority for particulars of the licence and, after making such enquiries as he thinks fit, shall, if he is satisfied that a duplicate may properly be issued, issue a duplicate licence.

(3) Where a photograph has become obsolete, the holder of the licence shall furnish the Licensing authority with two clear copies of a recent photograph of himself, one of which shall be affixed to the duplicate licence and the second one in record.

(4) The fee for a duplicate licence issued under this rule shall be rupees twenty five :

Provided that if the licence is lost while in the custody of a court or an authority to which it has been submitted or surrendered in pursuance of the provisions of the Act or these rules, a duplicate copy shall be issued free of charge.

(5) When a duplicate licence has been issued upon representation that a licence has been lost and the original licence is afterwards found by the holder, he shall deliver the original licence forthwith to the Licensing authority but the fee so paid for the issue of duplicate licence shall not be refundable.

(6) Any other person finding a driving licence shall deliver it to the holder of the licence or to the nearest police station.

Mutilated licence.—(1) If at any time it appears to a Licensing authority that a licence held by any person is so torn or defaced that it has ceased to be reasonably legible or that any important part of the original licence has been detached or is missing or that any unauthorised alterations have been made, the Licensing authority may impound the licence and issue a duplicate licence.

(2) If any of the entries are illegible or are missing or it appears that they have been detached or altered without authority, the Licensing authority shall, if he is not the Licensing authority by whom the licence was issued, apply to that authority for particulars of the licence and after making such enquiries as he thinks fit shall, if he is satisfied that a duplicate may properly be issued, issue a duplicate licence.

(3) If a licence impounded as aforesaid is required to have a photograph of the holder affixed thereto, then,—

- (a) if the photograph on the impounded licence is in the opinion of the Licensing authority satisfactory and conveniently transferable to the duplicate licence, the Licensing authority may so transfer, affix and seal the photograph to the duplicate licence; and
- (b) if the photograph affixed to the licence impounded is not in the opinion of the licensing authority such as can be transferred to the duplicate licence, the holder of the

licence, shall, on the demand of the licensing authority furnish two clear copies of recent photograph of himself, one of which shall be fixed to the duplicate licence and sealed.

(4) The fee for a duplicate licence issued under this rule shall be ten rupees.

Section II 28 (2) (c)

12. Issue of duplicate licence.—When a duplicate licence is issued, it shall be clearly stamped “DUPLICATE” in red ink and shall be marked with the date of issue of the duplicate and the seal of the Licensing authority.

Section 28 (2) (c)

13. Temporary authorisation in lieu of licence.—(1) When the holder of a licence has surrendered it to a Licensing authority for renewal or for obtaining an addition to drive a vehicle under section 11 or for any other purpose under the Act or these rules and has deposited the fee as specified under rule 32 of the Central Rules for this purpose and the licence so surrendered has not been suspended or cancelled, the Licensing authority or other authority to whom the licence has been surrendered shall furnish him with a receipt for the licence in HP Form II L Temp or in HP Form III L Temp (MV D) and during the period specified in the receipt so furnished it may be produced in place of the licence under section 130 and under sub-section (3) of section 206.

Section 28 (2) (c)

(2) The Licensing authority, a police officer or any other person authorised by the Government may extend the term of the receipt issued under sub-rule (1) by an order endorsed thereon.

(3) No fee shall be payable in respect of a receipt given under this rule.

Section 206

14. Communication of particulars of licence.—(1) A Licensing authority taking possession of a licence under section 19 shall, if the licence was issued under the Act and was granted by another Licensing authority, intimate that fact to the authority, by whom the licence was issued.

(2) The particulars of the person disqualified for holding or obtaining a driving licence and the particulars of person convicted under section 182, shall be published in the Official Gazette and entry to that effect shall be made in the State Register for Driving Licences maintained under section 26.

Section (2) (g)

15. Intimation to original Licensing authority of endorsement and renewals.—(1) The court or authority making or causing to be made an endorsement on a licence regarding disqualification under section 24 shall send intimation thereof in H. P. Form IV-LE to the Licensing authority by whom the licence was issued.

(2) A Licensing authority renewing a licence under the provisions of sub-section (6) of section 15 shall intimate in HP Form V-LR. the fact of renewal to the Licensing authority by whom the licence so renewed was issued.

(3) A Licensing authority adding to the classes of vehicle under which a licence authorises the holder to drive vehicles under sub-section (3) of section 6 shall, if it is not the authority by whom the licence was issued, intimate the addition so made to that authority in HP Form VI ‘LAD’.

Section and 28 (2) (g)

16. Change of Address.—The holder of a licence entitling him to drive as a paid employee or to drive a public service vehicle, shall, except in the case of a temporary absence not involving a change of residence for a period exceeding three months, report any change of his temporary or permanent address as given on the license to the Licensing authority by whom the licence was issued and to the licensing authority by whom it was last renewed.

Section 28 (2) (g).

17. Exemptions from the payment of fees.—(1) Fees specified under rule 32 of the Central Rules shall not be charged from a person, if he is or has been serving in any unit abroad or field area of the Defence Services of the Union whether employed on driving motor vehicles or otherwise:

Provided that such a person shall also be eligible for the aforesaid exemption if he makes an application for the grant or renewal of a license within three months of his return from the service abroad or, as the case may be, from the field area.

(2) *Ex-Military drivers other than commissioned officers and junior commissioned officers shall be eligible for grant of a driving license without payment of any fee specified for that purpose under rule 32 of the Central Rules.*

Section 28 (2) (f).

18. Driver's badge.—(1) The driver of a stage carriage or a contract carriage shall display on his left breast a metal badge in the form specified in the First Schedule to these rules, issued to him by the concerned Licensing authority and inscribed with the name of the authority by which an authorisation to drive a stage carriage or a contract carriage has been granted and the word "DRIVER" together with an identification number :

Provided that a driver shall not hold more than one badge.

(2) The fee for the issue of a badge shall be ten rupees and if the badge shall be lost or destroyed, a duplicate badge shall be issued by the authority by which it was issued on payment of ten rupees.

(3) No driver shall lend or transfer his badge to any other person and no driver shall wear a badge other than the issued to him by the Licensing authority.

(4) Any person finding a driver's badge shall, unless he returns the same to the holder, forthwith surrender it to the Licensing authority by which it was issued or to a police officer of the nearest police station.

(5) If at any time the authorisation on a driver's license entitling him to drive a stage carriage or a contract carriage is suspended or revoked by any Licensing authority or by any Court or ceases to be valid by the efflux of time, the driver shall surrender the badge to the authority by which it was issued within seven days from the date of suspension or revocation or from the expiry of the duration of the license, as the case may be.

Section 28 (2) (d)

19. Duties, Functions and Conduct of drivers.—(1) The driver of a transport vehicle shall:—

- (i) not allow any person to sit on the bonnet on the roof of the vehicle or in the cabin provided for the driver;
- (ii) not indulge in gossips with any other person(s) sitting near him;
- (iii) having regard to duties, be responsible for the due observance of the provisions of the Act and the rules and of any conditions of the permit relating to the vehicle;

- (iv) park the vehicle at specific place only and shall park in a way that the vehicle does not obstruct free flow of traffic and pedestrian's movement;
- (v) be cleanly dressed in such manner as the Regional Transport Authority may specify;
- (vi) maintain the vehicle in a clean and sanitary condition;
- (vii) not, when the vehicle is in motion, distract his attention without reasonable cause or speak to any person unless it is absolutely necessary so to do;
- (viii) not drive recklessly or dangerously;
- (ix) not drive under the influence of drinks or drugs;
- (x) not abet the offence under Section-184 or 185;
- (xi) not take part in un-authorised race or trial of speed of any kind;
- (xii) not drive during the period of disqualification;
- (xiii) not fail to stop when a vehicle is involved in an accident;
- (xiv) not alter the licence or badge held by him and shall not use altered licence and badge;
- (xv) not use a horn which gives shrilling or musical sound;
- (xvi) not display any musical device when the vehicle is in motion;
- (xvii) not use any extra lights or signs on the motor vehicle which distracts the attention of other drivers or pedestrians;
- (xviii) stop his vehicle to allow passage to the vehicle coming up-hill, and
- (xix) not smoke or allow any other person to smoke in or on a vehicle during a journey or when it has passengers on board.

Section 28 (2) (h)

(2) In addition to the duties of the drivers of transport vehicles given in sub-rule (1) the drivers of public service vehicle shall—

- (i) not cause or allow any person, animal or anything to be placed or to be in the space reserved for the drivers seat in accordance with rule 144 (2) or otherwise with such a way as to impede vision of the road or proper control of the vehicle;
- (ii) not shout in order to attract a passenger;
- (iii) subject to any rules or regulations in force prohibiting the taking up or setting down of passengers at or except at, certain specific places, bring the vehicle to rest for as sufficient period of time in a safe and convenient position upon the demand or signal of the conductor or of any passenger desiring to alight from the vehicle, and unless there is no accommodation in the vehicle upon the demand or signal of any persons desiring to become a passenger;
- (iv) not, when bringing his vehicle to rest for the purpose of picking-up or setting down any passenger at or near the place where another public service vehicle is at rest for the same purpose, drive the vehicle as to endanger, inconvenience or interfere with the driver or the conductor of the other vehicle or any person mounting or preparing to mount thereon or alighting there-from, and shall bring his vehicle to rest in front of or behind the other vehicle and on the left hand side of the road or place;
- (v) at all times exercise all reasonable care and diligence to maintain his vehicle in a fit and proper condition and shall not knowingly drive the vehicle when it or any brake, tyre or lamp thereof is in a defective condition likely to endanger any passenger or other person or when there is not sufficient fuel in the tank of the vehicle to enable him to reach the next petrol filling station on the route;
- (vi) behave in a civil and orderly manner to passengers and intending passengers;

- (vii) not interfere with persons mounting or preparing to mount upon any other vehicle;
- (viii) not allow any person to be carried in any public service vehicle in excess of the seating capacity specified in the certificate of registration of the vehicle and any additional number permitted under the terms of the permit to be carried standing in the vehicle;
- (ix) not wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare for any journey;
- (x) not, save for good and sufficient reason, refuse to carry any person tendering the legal fare;
- (xi) where goods are carried on the vehicle in addition to passengers, take all reasonable precautions to ensure that passengers are not endangered or unduly inconvenienced by the presence of the goods;
- (xii) not, save for good and sufficient reasons, require any person who has paid the fare to alight from the vehicle before the conclusion of the journey;
- (xiii) not loiter or unduly delay upon any journey but shall proceed to his destination as near as may be in accordance with the time-table pertaining to the vehicle; or where there is no such time-table, with all reasonable despatch;
- (xiv) in the event of a stage carriage being unable to proceed to its destination on account of mechanical break-down or other cause beyond the control of the driver or the conductor, arrange to convey the passengers to their destination in some other similar vehicle, or, if unable to arrange within a period of one hour after the failure of the vehicle, shall on demand refund to such passenger a proper proportion of the fare relating to the completion of the journey for which the passenger had paid the fare;
- (xv) not, in the case of a stage carriage, cause or allow anything to be placed in the vehicle in such a manner as to obstruct the entry or exit of passengers;
- (xvi) when using a stand, pay the fees fixed for such stands and comply with any relevant conditions subject to which the place is authorised as a stand;
- (xvii) shall take due care for the safe carriage of luggage belonging to the passengers;
- (xviii) shall take all reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the vehicle;
- (xix) take all reasonable precautions to ensure that all means provided for indicating the route, fares and destination of the vehicle are clearly and correctly displayed in or on the vehicle;
- (xx) not allow any passenger or some other person such as vendor, hawker or seller to beg, sell while or offer any article for sale in or on the vehicle;
- (xxi) not while driving a vehicle operate any radio, tape recorder, television, VCR and the like instrument; and
- (xxii) shall not argue with passenger and must give his name, number, etc. when asked to do so.

(3) In addition to the duties of drivers under such rule (1) & (2), the drivers of contract carriage vehicles shall —

- (i) in the absence of reasonable cause to the contrary proceed to the destination agreed by the hirer by shortest and quickest route;
- (ii) not terminate the hiring thereof before he has been discharged by the hirer;
- (iii) station his motor vehicle/cab in the stand in the order in which he arrives, the motor cab has been waiting longest being stationed in the front position and the other vehicle shall move as the vacancy occurs; and
- (iv) not allow his vehicle, when it is not engaged, to remain at any public place other than the stand approved for the purpose, nor shall he loiter for the purpose of its being hired in any public place;

20. Driver not to allow to travel certain persons.—(1) No driver shall cause or allow to enter into or to be placed or carried in the vehicle any person whom he knows or has reason to believe to have been suffering from any infectious or contagious disease or the corpse of any person whom he knows or has reason to believe to have been suffering from any such disease.

(2) Notwithstanding the provisions of sub-rule (1), the driver may upon an application, in writing, by a registered medical practitioner, allow a person suffering from an infectious or contagious disease to be carried in a transport vehicle:

Provided that no other person save a person or persons in attendance on the sick person, shall be carried in the transport vehicle at the same time.

(3) When a person suffering from an infectious or contagious disease or the corpse of any such person has been carried in a transport vehicle, the driver of the vehicle shall be responsible to report that fact to a Government medical officer of the area concerned and to the owner of the vehicle and neither the owner nor the driver shall cause or allow any person to use the vehicle until the driver and the vehicle have been disinfected in such manner as the medical officer may specify and a certificate to that effect has been obtained from the medical officer.

Section 28 (2) (h)

21. State Register of Driving Licenses.—(1) The State Register of Driving licenses shall be maintained in duplicate in the office of the Director in Form 10 appended to the Central Rules.

(2) The Register of Driving Licenses shall also be maintained in triplicate in the office of each of the Licensing authorities in the Form referred to in sub-rule (1) and a copy of each page of it, in duplicate, shall be forwarded to the Director every month. Each entry on the said Register shall be attested by the Licensing authority or by a person so authorised to sign by the Director.

Section 28 (2) (j)

Chapter-III

LICENSING OF CONDUCTORS OF STAGE CARRIAGES

22. Application for grant of Conductors Licence.—(1) An application for the grant of a conductor's license shall be made in HP Form VII L Con. A to the Licensing authority of the district where the applicant resides or carries on business and shall be accompanied by,—

- (i) two clear copies of recent photographs of the applicant;
- (ii) a cash receipt or a treasury challan in token of payment of fee; and
- (iii) a medical certificate of fitness from a registered medical practitioner authorised by the Director on the recommendations of the Director of Health Services, Himachal Pradesh for this purpose along with a certification issued by the St. John's Ambulance or any of its unit in the State in HP Form VII I A & B.

(2) In the case of an application for grant of a conductor's license, if the Licensing authority has reason to believe that the applicant is physically unfit to perform the duties of a conductor it may call upon him to furnish a third copy of his clear and recent photograph in addition to the photographs already furnished under sub-rule (1) and to produce another medical certificate of

fitness in HP Form IX MC Con form a Medical Officer of the District concerned for this purpose and the photograph so furnished should be firmly affixed with the application duly signed and sealed by the registered medical practitioner.

(3) No person shall be eligible to make application under sub-rule (1) for the grant of conductor's licence, unless he,--

Sections 30 and 28 (2) (d)

- (i) is a matriculate;
- (ii) possesses knowledge of the provisions of the Act and the rules made thereunder;
- (iii) is conversant with the duties and functions of a conductor;
- (iv) is of a sound physique; and
- (v) gives satisfactory proof of his good character.

(4) If the application for the grant of a conductor's licence is found to be in order by the Licensing authority and the provisions contained in Chapter III of the Act are met with, it may grant a conductor's license in HP Form X "L Con" which shall be valid for a period of three years from the date of issue and shall be effective throughout the State.

Section 38 (2) (c)

23. Counter-signatures of Conductor's License.—A conductor's license issued by a Licensing authority having jurisdiction outside the State shall not be effective in the state, unless it is countersigned under the authority of a licensing authority having jurisdiction in the State in the manner as is applicable for renewal of a conductor's license.

Section 38 (2) (j)

24. Renewal of Conductor's License.—(1) An application for renewal of conductor's license shall be made to the Licensing authority in HP Form XI L.Con. AR; thirty days before the expiry of the license and shall be accompanied by a cash receipt or treasury challan in token payment of fee for renewal of the license as prescribed under rule section (5) of section 30 of the

(2) If the Licensing authority finds the application for renewal of a conductor's licence in order, it may renew the same by making an entry to that effect on the licence and renewal shall be valid for a period of three years from the date of the expiry of the licence :

Provided that if the authority renewing the licence is not the authority which issued the licence, the authority renewing the licence shall intimate the fact of renewal to the authority which issued the licence.

Section 30 and 38 (2) (e)

25. Liability for producing Medical Certificate.—A person who has been authorised to act as a conductor of the stage carriages before the commencement of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988) shall, within a period of three years from to date of such commencement, produce a medical certificate from the authority specified under rule 22 failing which he shall be disqualified under section 31 to act as a conductor.

Section 31 (2) (b)

26. Grant of duplicate conductor's license.—If at any time a conductor's licence is lost or destroyed or mutilated or the photograph affixed thereto ceases, in the opinion of the licensing authority, to be of reasonable likeness of the holder, the Licensing authority shall proceed in such case in accordance with the provisions contained in rules 10 or 11, as the case may be.

Section 38 (2) (f)

27. Appellate authority.—The Appellate authority for the purpose of sub-section (2) of section 33 and sub-section (4) section 34 of shall be the Chairman of the State Transport Authority and the Regional Transport Authority respectively.

Section 33, 34 and 38 (2) (g)

28. Conduct and hearing of appeals. (1) An appeal under sub-section (2) of section 33 and sub-section (4) of section 34 shall be preferred in duplicate in the form of a memorandum; one copy of which shall bear a cash receipt of rupees twenty setting forth concisely the grounds of objection to the order of the Licensing authority and shall be accompanied by a certified copy of the order appealed against.

(2) When an appeal is preferred, the Appellate authority shall issue a notice to the Licensing authority against whose order the appeal is preferred and cause it to send the relevant record.

(3) The Appellate authority may, after giving an opportunity to the parties to be heard and after such further enquiry, if any, as it may deem necessary, confirm, vary or set aside the order against which the appeal is preferred and shall make an order accordingly.

(4) Any person preferring an appeal under sub-rule (1) shall be entitled to obtain a copy of any document filed with the Licensing authority in connection with the order appealed against after payment of a fee at the rate of two rupees per page.

(5) Any person preferring an appeal shall be entitled to inspect the file of the Appellate authority by making an application bearing a cash receipt or a treasury challan of:—

(a) in respect of an urgent inspection, . . . ten rupees; and

(b) in respect of an ordinary inspection, . . . five rupees

(c) A copy of the order made by the Appellate authority in appeal may be obtained on payment of a fee at the rate of two rupees per page.

Section 38 (2) (g)

29. Conductor's badge.—(1) The conductor of a stage carriage shall display on his left breast a metal badge in the form specified in the First Schedule to these rules issued by the Licensing authority and inscribed with the name of the Licensing authority by whom the conductor's licence is granted and the word "Conductor" together with the identification number.

(2) A conductor shall not hold more than one badge issued by a Licensing authority in the State.

(3) The fee for the issue of a conductor's badge shall be ten rupees and if the badge is lost or destroyed, a duplicate badge shall be issued by the Licensing authority which issued it on payment of twenty rupees.

(4) If at any time a conductor is disqualified for holding conductor's Licence or his licence is revoked by the licensing authority or by any or if it ceases to be valid by the efflux of time, the conductor shall within seven days from such disqualification, revocation or efflux, as the case may be, surrender the badge to the authority by which it was issued.

Section 38 (2) (h)

30. Badge not to be transferred.—(1) No conductor shall lend or transfer his badge to any other person and no conductor shall wear a badge other than one issued to him by the Licensing authority.

(2) Any person finding a conductor's badge shall, unless he returns the same to the holder, forthwith surrender it to the Licensing Authority by which it was issued or to a police officer.

Section 38 (2) (h)

31. Driver performing the duties of conductor. Any driver of a stage carriage may perform the duty of a conductor of a stage carriage temporarily for a period not exceeding ten days without getting a conductor's licence when he is so authorised with the prior approval of the Regional Transport authority, by any officer not below the rank of a Traffic Manager in the case of a State Transport company or a transport firm or a transport Co-operative Society :

Provided that such driver should be able to perform the first aid duties and should possess educational qualifications as specified in sub-rule (3) of Rule 22 for obtaining conductor's licence.

Section 38(2) (b)

32. Duties, functions and conduct of a conductor. The Conductor of a stage carriage shall;

- (i) charge fares specified for the journeys or stages of the journeys and shall issue tickets to all the passengers and shall ensure that no one travels without a valid ticket;
- (ii) not smoke or allow any other person to smoke in or on a vehicle during a journey or when it has passengers on board;
- (iii) behave in a civil and orderly manner to passengers and intending passengers;
- (iv) be cleanly dressed in such manner as the State Transport authority may specify;
- (v) maintain the vehicle in a clean and sanitary condition;
- (vi) not interfere with persons mounting or preparing to mount upon any other vehicle;
- (vii) not allow any person to be carried in public service vehicle in excess of the seating capacity specified in the certificate of registration of the vehicle and any additional number permitted under the terms of the permit to be carried standing in the vehicle;
- (viii) not wilfully deceive or refuse to inform passenger or intending passenger as to the destination of route of the vehicle or as to the fare of any journey;
- (ix) not, save for good and sufficient reason, refuse to carry any person tendering the legal fare;
- (x) take all reasonable precaution to ensure that passengers are not endangered or unduly inconvenienced by the presence of the goods where goods are carried on the vehicle in addition to the passengers;
- (xi) not, save for good and sufficient reasons, require any person who has paid the legal fare to alight from the vehicle before the conclusion of the journey;
- (xii) not loiter or unduly delay upon any journey but shall proceed to his destination as near as may be in accordance with the time table pertaining to the vehicle or where there is no such time table, with all reasonable despatch;
- (xiii) in the event of a stage carriage being unable to proceed to its destination on account of mechanical break down or other cause beyond the control of the driver or the conductor, arrange to convey the passengers to their destination in some other similar vehicle, or, if unable to arrange within a period of one hour after the failure of the vehicle, shall on demand refund to each passenger a proper proportion of the fare relating to the completion of the journey for which the passenger had paid the fare;
- (xiv) not in the case of a stage carriage cause or allow anything to be placed in the vehicle in such a manner as to obstruct the entry or exit of passengers;

- (xv) pay the fees fixed under sub-rule (3) of rule 200 when using a stand and comply with any relevant condition subject to which the place is authorised as a stand;
- (xvi) take due care for the safe carriage of luggage belonging to the passengers;
- (xvii) take all reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the vehicle;
- (xviii) not, when the vehicle is in motion, distract his attention without reasonable cause or speak to any person unless it is absolutely necessary so to do;
- (xix) take all reasonable precautions to ensure that all means provided for indicating the route fares and destination of the vehicle are clearly and correctly displayed in or in the vehicle;
- (xx) follow the signalling devices provided for starting and stopping the vehicle and in no circumstances must the vehicle be started by shouting to the drivers, stamping the feet, tapping on the partition or by other unauthorised methods of signalling;
- (xxi) not argue with passengers and must give his name and badge number when asked to do so;
- (xxii) not come on duty under the influence of any intoxicant;
- (xxiii) assist the passengers loading and unloading their luggage on way side halts;
- (xxiv) not allow any passenger or some other person such as vendor, hawker or seller to buy, sell or offer any article for sale in or on the vehicle;
- (xxv) not allow any person to sit on the bonnet or roof of the vehicle or in the cabin provided for the driver in the vehicle;
- (xxvi) Whenever the stage carriage approaches on unguarded level crossing, cause it to be stopped and after alighting therefrom and ensuring that no train is approaching from either direction, cause the vehicle to follow him till the other side of level crossing is reached ; and
- (xxvii) Wherever any vehicle is fitted with any radio, tape recorder, television or VCR or other like instrument, shall operate it, when it is permissible to be operated.

Section 38 (2) (c) and (h)

Chapter-IV

REGISTRATION OF VEHICLES

33. Registering Authority.—The Licensing authority as specified under Rule 3 shall be the Registering Authority for the purpose of registration of the vehicle within his jurisdiction:

Provided that for the purpose of registration—

- (a) of a tourist vehicle the registering authority shall be the Secretary, State Transport authority, Himachal Pradesh, whose area of jurisdiction shall be whole of the State ; and
- (b) of an auto-rickshaw, plying for the carriage of passengers, the registering authority shall be the Secretary, Regional Transport Authority, whose area of jurisdiction shall be the territorial limits of the region for which he is appointed.

Section 65 (2) (b)

34. Appellate Authority.—The Director shall be the Appellate authority for the purposes of section 57.

Sections 57 and 65 (2) (b) & (p)

35. Conduct and hearing of appeals.—(1) An appeal under section 57 shall be preferred in duplicate in the form of a memorandum one copy of which shall bear cash receipt or treasury challan of twenty rupees setting forth concisely the grounds of objection to the order of the registering authority or the Board of Inspection, as the case may be and shall be accompanied by a certified copy of the order appealed against.

(2) When an Appeal is preferred, a notice shall be issued to the registering authority and in the case of an appeal against the order of the Board of Inspection to the Motor Vehicles Inspector, in such form as the appellate authority may direct and cause the relevant records to be sent.

(3) The Appellate authority may, after giving an opportunity to the party to be heard and after such further enquiry, if any, as it may deem necessary, confirm, vary, or set aside the order of registering authority or the Board of Inspection, as the case may be, and shall make an order accordingly.

(4) Any person preferring an appeal under sub-rule (1) shall be entitled to obtain a copy of any document filed with the registering authority or the Board of Inspection in connection with the order appealed against and a copy of the order of the registering authority or the Board of Inspection on payment of a fee at the rate of two rupees per page.

(5) Any person preferring an appeal under sub-rule (1) shall be entitled to inspect the file of the appellate authority by making an application bearing a cash receipt or a treasury challan of :

(a) in respect of an urgent inspection, ten rupees.

(b) in respect of an ordinary inspection, five rupees.

(6) A copy of the order made by the appellate authority in appeal may be obtained on payment of a fee at the rate of two rupees per page.

Section 65 (2) (a).

36. Reference to expert.—(1) In the course of an appeal against a refusal to issue a certificate of fitness under section 56, the applicant may demand at its own cost that the opinion of an expert accepted by himself and approved by the Appellate authority may be taken.

(2) If the Appellate authority accepts the demand for reference to an expert, it shall frame issues and refer the same to him for his opinion.

(3) Where reference under sub-rule (2) is made to an expert, his opinion shall be accepted as final.

Section 65 (2) (a)

37. Manner for exhibiting the particulars of transport vehicles.—(1) Save in the case of a motor car, the particulars set forth in HP Form XII PPTV shall be exhibited in a fixed frame inside the transport vehicle in the driver's cabin, in Hindi devnagri script and numerals international form of Indian numerals.

(2) The full name of the transport company, transport society, transport firm or person owning the vehicle and registration mark as set forth in its registration certificate shall be exhibited on both sides of every transport vehicle in Hindi in Devnagri Script in bold letters measuring 100 millimeters in height and 20 millimeters in thickness:

Provided that with the approval of the Regional Transport Authority concerned abbreviations of names may be used.

Sections 58 (2) and 65 (2) (g)

38. *Board of Inspection for issue or renewal of certificate of fitness.* (1) The functions to grant or renew a certificate of fitness of a transport vehicle and all other functions which are to be discharged by a prescribed authority under section 56 shall be performed by a Board of Inspection consisting of,—

- (a) the registering authority concerned; and
- (b) a Motor Vehicles Inspector appointed by the Government for this purpose.

(2) In the event of a difference of opinion between the members of the Board of Inspection regarding the fitness of a vehicle, the decision of the Board of Inspection shall be deemed to be that the vehicle is not fit and an order shall be made in the name of the Board of Inspection refusing to grant or renew the certificate of fitness or cancelling the certificate of fitness.

Sections 56 and (2) (a) .

39. *Application for certificate of fitness.* (1) For the grant or renewal of a certificate of fitness, a transport vehicle shall be presented to the Board of Inspection or to an authorised testing station in whose functional area the vehicle is kept or whose functional area includes the major portion of the route or area to which the permit of the vehicle extends:

Provided that the Board of Inspection or an authorised testing station shall keep in view, in addition to other matters, the design of vehicle to be of the type approved by the State Transport Authority for grant of a certificate of fitness.

(2) If owing to mechanical break down or other cause a transport vehicle is, at the time when the certificate expires, outside the functional area of the Board of Inspection or an authorised testing station by which the certificate is to be renewed, any other Board of Inspection or an authorised testing station may, without prejudice to any penalty to which the owner may have become liable, if the vehicle is in the opinion of the Board of Inspection or an authorised testing station fit for use by endorsement in HP Form XIII C.F. and subject to such conditions as the Board of Inspection or an authorised testing station may specify, authorise its continued use for such a time as may reasonably be necessary for the vehicle to return to the area of the Board of Inspection or an authorised testing station by which the certificate should be renewed. The vehicle may thereupon be driven to such area in accordance with such endorsement, but shall not be used after return to the area until the certificate has been renewed.

Section 65 (2) (b)

40. *Procedure of Board of Inspection or an authorised testing station.*—(1) A Board of Inspection or an authorised testing station before which a vehicle is produced for the issue or renewal of a certificate of fitness may,—

- (a) issue a certificate of fitness or renew the same in respect of the vehicle;
- (b) defer a decision regarding the issue or renewal of a certificate of fitness pending the rectification of certain defects; or
- (c) refuse to issue a certificate or to renew the certificate.

(2) Where the course described in clause (b) is allowed, the Board of Inspection or an authorised testing station shall supply the owner of the vehicle or his agent with a list of the defects requiring correction in HP Form XIV C. F. X., and pending the carrying out of the repairs shall suspend and impound any certificate of fitness previously in force in respect of the vehicle. In completing HP Form XIV C.F.X., the Board of Inspection or an authorised testing station shall note the conditions under which it shall be permissible for the vehicle to be

used pending the grant or renewal of the certificate, These conditions shall in no case permit the use of the vehicle for the conveyance of passengers for hire or reward or for the carriage of goods other than goods carried in connection with the repairing of the vehicle.

(3) If a Board of Inspection or an authorised testing station defers its decision under clause (b) of sub-rule (1) in case of a renewal of a certificate of fitness and supplies the owner of the vehicle or his agent with a list of defects in HP Form XIV C.F.X. and if thereafter the vehicle is not produced for further examination within a period of two months or within such period as may have been specified by the Board of Inspection or an authorised testing station in HP Form XIV C.F.X., the certificate of fitness shall be deemed to be cancelled with effect from the date on which its duration expires.

(4) Notwithstanding the provisions of the preceding sub-rule, when examination of the vehicle by the Board of functional area of the vehicle concerned will result in delay or cause unnecessary expense to the owner or user of the vehicle, the Chairman of the State Transport Authority or a person nominated by him shall, for reasons to be recorded, be competent to set up an *ad hoc* Board of Inspection to grant or renew certificates of fitness.

(5) In issuing or renewing a certificate of fitness, the Board of Inspection or an authorised testing station shall endorse thereon the period for which the certificate of fitness shall remain effective in accordance with the provisions contained in rule 62 of the Central Rules.

Section 65 (2) (b).

41. Report to be made when a certificate of fitness is cancelled or renewal is refused.—(1) The Board of Inspection or an authorised testing station shall intimate to the Regional Transport Authority by whom the permit of the vehicle was issued at the first instance and also to the registering authority of the area where the vehicle stands registered, the fact of cancellation of a certificate of fitness or refusal to renew a certificate of fitness, as the case may be, and in both the cases referred to above, the Board of Inspection or an authorised testing station shall impound the certificate of fitness and forward it to the registering authority concerned.

Section 65 (2) (b).

42. Temporary registration of motor vehicles.—(1) When for any reason it is impracticable for the purchaser of a new motor vehicle to obtain a registration certificate in the ordinary course owing to a temporary closure of the office of the registering authority or for other reasons, or where the purchaser of a new motor vehicle intends to export it at once beyond the limits of the State or to take it immediately to the area where he has his permanent residence or place of business, a temporary certificate of registration mark may be issued by the firm of vehicles, dealer or manufacturer of vehicles appointed by the Government in this behalf subject to the provisions of sub-rule (2) and the temporary certificate and registration mark shall for the time being serve all the purpose of a regular certificate of registration and registration mark:

Provided that the names of persons or the firm, as aforesaid, who shall be competent to sign the temporary certificate of registration shall be specified by the District Magistrate.

(2) A temporary certificate of registration or a temporary registration mark shall not be issued except in respect of a vehicle which has not previously been registered under the Act.

(3) Every application for a temporary certificate of registration shall be in writing and shall indicate the Sub-Division, District and place where the vehicle is intended to be produced for permanent registration and shall be supported by certificate from the person or firm from whom the vehicle has been purchased indicating the date of purchase of the vehicle.

(4) On receipt of an application in terms of the provisions of sub-rule (3), the person or firm authorised under sub-rule (1) may issue a temporary certificate of registration in Foil A in HP Form XV CR Tem.

(5) If the place in which it is intended permanently to register the vehicle is in India 'foil B' of HP Form XV CR Tem. shall be despatched immediately to the registering authority of the area in which it is to be registered and in other cases the said foil B shall be dealt with according to such directions as may be issued by the Government from time to time. The counterfoil together with the application and its accompanying certificate shall be kept on record by the firm issuing the permit and shall be made available for the inspection of the registering authority of the area at the end of every calendar month or at such other intervals as the registering authority may direct. The counterfoils with the application and certificates, shall unless they are taken by the registering authority into his own charge, be preserved by the said firm for a period of not less than twelve months from the date of issue.

(6) In the case of vehicles intended to be permanently registered in the State, the registering authority receiving foil B under sub-rule (5) shall forthwith send an acknowledgement to the firm which issued it and that firm shall attach the acknowledgement to the counterfoil.

(7) A firm issuing a temporary certificate of registration shall at the same time assign to the vehicle a mark to be displayed thereon in the manner specified in rule 51 of the Central Rules the letters and figures composing the mark being in red on a yellow ground.

(8) The fee for temporary registration under this rule shall be half the registration fee as specified in rule 81 of the Central Rules.

(9) To enable the firm empowered under sub-rule (1) to fulfil the requirements of sub-rule (7), the registering authority shall earmark a block of registration mark out of those assigned to the district for the purpose.

(10) Where a motor vehicle temporarily registered is a chassis to which a body has not been attached and the same is detained in workshop beyond the period of one month specified in sub-section 2 of section 43, in such a case the registering authority may allow extension in temporary registration upto a period of twelve months:

Provided that the extension in temporary registration shall be given on payment of fee—

- (a) in the case of extension for a period not exceeding a period of three months, at the rate of half of the rate specified for temporary registration under sub-rule (8); and
- (b) in the case of extension for a period exceeding three months but not exceeding twelve months, at the rate of rupees fifty for every month or part thereof.

Sections 43 and 65 (2) (b).

43. Loss or destruction of certificate of registration of a vehicle other than transport vehicle.—
 (1) If at any time the certificate of registration of vehicle other than a transport vehicle is lost or destroyed the owner shall forthwith intimate the facts in writing to the registering authority by whom the certificate was issued or by whom the registration marks of the vehicle was assigned under section 47 and shall apply in Form 26 of the Central Rules to the said authority for the issue of a duplicate certificate.

(2) On receipt of an application under sub-rule (1) together with fee as specified in rule 81 of the Central Rules, the registering authority may, after making such enquiries as may appear

necessary, issue a duplicate certificate of registration in Form 23 of the Central Rules stamped "Duplicate" in red ink.

Section 65 (2) (d).

44. Loss or destruction of certificate of registration and certificate of fitness of a transport vehicle.—(1) If at any time the certificate of registration or the certificate of fitness of transport vehicle is lost or destroyed, the owner shall forthwith intimate the fact, in writing, to the registering authority by whom the certificate of registration was issued or by whom the registration mark was assigned under section 47 and shall apply in Form 26 of the Central Rules to the said registering authority for the issue of duplicate certificate of registration and certificate of fitness.

(2) On receipt of an application under sub-rule (1) together with fee as specified in rule 81 of the Central Rules, the registering authority may, after making such enquiries as may appear necessary, issue a duplicate certificate of registration in Form 23 of the Central Rules, stamped 'Duplicate' in red ink.

Section 65 (2) (d).

45. Procedure when a lost certificate is subsequently found.—(1) When a duplicate certificate of fitness or certificate of registration has been issued upon representation of the holder thereof that the original has been lost and if the original is afterwards found, the original certificate of fitness or certificate of registration shall be delivered forthwith to the registering authority.

(2) Any other person finding a certificate of fitness or certificate of registration shall deliver it to the holder or the nearest Police Station.

Section 65 (2) (d).

46. Temporary receipt for certificate of registration or certification of fitness taken into possession by a competent authority.—(1) When the holder of certificate of registration and a certificate of fitness of a transport vehicle has submitted them to a registering authority, Board of Inspection, a court, a police officer or to any other person authorised by the Government under section 206 or for any purpose under the Act or these rules and neither the certificate of registration nor the certificate of fitness has been suspended or cancelled, the authorities or the person as aforesaid shall furnish him with a receipt for the certificate of registration in HP Form XVI R. Temp. and during such time as specified in the receipt shall remain in force, it may be produced in place of the certificate of registration or the certificate of fitness under sub-section (1) of section 130.

(2) Any authority or the person granting a receipt under sub-rule (1) may at his discretion extend the term thereof by an order endorsed thereon.

(3) No fee shall be payable in respect of a receipt given under this rule.

Section 65 (2) (d).

47. Fee for late registration of vehicle.—The owner of a motor vehicle shall, if he fails to make an application under sub-section (1) of section 47 within the period specified in rule 54 of the Central Rules, be liable to pay the following amount in addition to the fee specified for

registration of vehicles under rule 81 of the Central Rules if the same has not already been paid, namely :—

	For vehicles other than transport vehicle (in rupees)	For transport vehicle (in rupees) *
(i) for delay exceeding thirty days but not exceeding three months.	Ten	Twenty
(ii) for delay exceeding three months but not exceeding six months.	Twenty	Forty
(iii) for delay exceeding six months but not exceeding twelve months.	Thirty	Sixty
(iv) for delay exceeding one year but not exceeding two years.	Forty	Eighty
(v) for delay exceeding two years	Fifty	One-hundred

Section 65 (2) (k)

48. *Intimation of transfer of ownership.*—(1) An intimation of transfer of ownership of a motor vehicle shall be made in Forms 29 and 30 of the Central Rules.

(2) A registering authority making any entry or transfer or ownership, if it is not the original registering authority, shall communicate the transfer of ownership to the original registering authority in HP Form XVII CRTI.

Sections 50 and 65 (2) (j).

49. *Reassignment of registration marks.*—The registering authority assigning a new registration mark to a motor vehicle shall intimate the fact to the owner and the other party, if any, to an agreement of hire-purchase specified in the note on the certificate of registration and shall apply in HP Form XVIII R. M. I. to the registering authority with whom the vehicle stands registered for transfer of the records of the vehicles.

Sections 47, 51 and 65 (2) (b).

50. *Vehicle entering the state from outside.*—When any motor vehicle which is not registered in the State has been kept therein for a period exceeding fourteen days, the owner or other person in charge of the vehicle shall send intimation to the registering authority of the area in which the motor vehicle is at the time of making the report and shall intimate :—

- (a) his name and permanent address and the address where the motor vehicle is kept for the time being;
- (d) the registration mark of the motor vehicle.
- (c) the make and description of the motor vehicle; and
- (d) in the case of a transport vehicle the name of the authority within the state by whom the permit has been issued or countersigned :

Provided that in case of a transport vehicle covered by a permit having validity in the state, it shall be necessary to take a report under this rule upon the occasion of first entry only.

Sections 47 and 65 (2) (p).

51. Delay in intimation of change in residence or place of business.—(1) If the owner of a motor vehicle fails to comply with the provisions of sub-section (1) of section 49, sub-sections (2) and (3) of section 50, the registering authority may require him to pay amount mentioned below, namely :—

(a) for delay exceeding thirty days but not exceeding three months.	Ten Rupees
(b) for delay exceeding three months	Tewnty Rupees
(c) for delay exceeding six months but not exceeding nine months.	Forty Rupees
(d) for delay exceeding nine months but not exceeding twelve months.	Sixty Rupees
(e) for delay exceeding one year but not exceeding two years.	Eighty Rupees
(f) for delay exceeding two years	Hundred Rupees

Sections 49 (4), 50 (5) and 65 (2)(k)

52. Exemption of road rollers and the like.—The provisions contained in chapter IV of the Act and the rules contained in this chapter shall not apply to the road rollers, graders and other vehicles designed and used solely for the construction, repair and cleansing roads.

Section 65 (2) (c)

53. Intimation to the financiers.—An intimation regarding any entry in the certificate of registration, as required under sub-sections (10) and (11) of section 51 of the Act shall be made to the financier in Himachal Pradesh Form XIXH.P. Entry by the registering authority immediately on the date of such entry being made.

Section 51 (10)

54. Information of stolen and recovered vehicles.—The returns regarding vehicles which have been stolen and stolen vehicles which have been recovered or which the police are aware under section 62 shall be sent every month in Himachal Pradesh Form XXS.R.B.

Sections 62 and 65 (2) (n)

55. State register of Motor Vehicles.—(1) In pursuance of section 63, State Register of Motor Vehicles shall be maintained in the office of the Director in Form 39 of the Central Rules.

(2) The State Register of Motor Vehicles shall also be maintained in triplicate in the offices of each of the registering authorities in the Form referred to in sub-rule (1) and a copy of each page of it in triplicate shall be forwarded to the Director every month. Each entry on the said register shall be attested by the registering authority or by a person so authorised to sign by the Director.

Sections 63 and 65 (2) (o)

Chapter-V

CONTROL OF TRANSPORT VEHICLES

56. Term of appointment of members of the State Transport Authority and a regional transport authority.—(1) Any official appointed to be a member of the State Transport Authority or a Regional Transport Authority shall continue as such till such time as the Government may

otherwise order. A non-official member of the State Transport Authority shall hold office for a period of two years from the date of his appointment and thereafter not more than two months unless he is re-appointed by Government:

Provided that the Government may at any time remove any non-official member :

Provided further that when any non-official member dies or is removed or vacates office, his successor shall hold the appointment for the remainder of the period of office of the member whose place he takes and thereafter until a successor is appointed.

(2) A non-official member of the State Transport Authority or a Regional Transport Authority shall be entitled to travelling allowance and halting allowance for attendance at meeting and for any journey(s) performed by him under the orders of the chairman of the concerned authority in connection with the business of the authority at the rates admissible to Grade-I officers of the Government of Himachal Pradesh :

Provided that —

- (a) a non-official member, who has his residence at a place other than the headquarters of the authority will draw halting allowance at full rate even for the day on which he may not have halted for full twenty-four hours at place at which the meeting of the authority is held; and
- (b) where a non-official member is a member of the State Legislative Assembly, he shall be entitled to draw travelling allowance as is admissible to him under the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Act, 1971 and the rules framed thereunder.

Section 96 (2) (1)

57. Conduct of business by the State Transport Authority.—(1) The State Transport Authority shall meet at such times and at such places as its Chairman may appoint :

Provided that a clear ten day's notice of each meeting shall be given.

(2) Three members shall constitute a quorum, at a meeting :

Provided that if a quorum is not present within half-an-hour after the time fixed for the meeting, the meeting shall be adjourned to such day not earlier than ten days and at such time and place, as the Chairman or in his absence a member acting as Chairman may appoint and even if a such a meeting a quorum is not present within half-an-hour from the time appointed for the meeting, the members present shall form a quorum.

(3) The Chairman, if unable to attend a meeting, shall nominate a member to act as Chairman at the meeting and if he fails to nominate a member to act as Chairman, then the members present shall elect a member to act as a Chairman at the meeting.

(4) The Chairman or the member acting as Chairman shall have a second or casting vote.

Section 96 (2) (i)

58. Conduct of business by a Regional Transport Authority.—(1) Every Regional Transport Authority shall meet at such times and at such places as its Chairman may appoint :

Provided that a clear ten day's notice of each meeting shall be given.

(2) Two members shall constitute a quorum at a meeting :

Provided that if a quorum is not present within half-an-hour after the time fixed for the meeting, the meeting shall be adjourned to such day not earlier than ten days and at such time and place as the chairman or in his absence a member nominated by him under sub-rule (3) to act as chairman may appoint, and even if at such meeting quorum is not present within half-an-hour from the time appointed for the meeting, the members present shall form a quorum.

(3) The Chairman, is unable to attend a meeting, shall nominate a member to act as Chairman at the meeting and if he fails to nominate a member to act as Chairman, the members present shall elect member to act as a Chairman at the meeting.

(4) The Chairman or the member acting as Chairman shall have second or casting vote.

Section 92 (2) (i)

59. *Provision of rules 57 and 58 not to apply in certain cases.*— The provisions contained in rules 57 and 58 shall not apply in case the State Transport Authority or a Regional Transport Authority is constituted consisting of only one member.

Section 68

60. *Procedure for conduct of business.*—(1) Subject to the provisions of the Act and these rules, the State Transport Authority or a Regional Transport Authority shall have power to make bye-laws to regulate the conduct of its business and shall likewise have powers to amend such bye-laws and the business of such authorities shall be conducted accordingly under the directions of the Chairman of the respective authority.

(2) The Secretary concerned of the authority referred to in sub-rule (1) shall issue to each member of the State Transport Authority or a Regional Transport Authority, as the case may be, a copy of the agenda ten day's before the actual date of the meeting at which it is to be considered.

(3) Save in the case of the hearing of an objection to the grant of a stage carriage permit or of a goods carriage permit or a contract carriage permit, the State Transport Authority or a Regional Transport Authority, as the case may be, may decide any matter without holding a majority of the votes of members, recorded in writing, and sent to the Secretary concerned (hereinafter this method to be referred as "procedure by circulation").

(4) In the procedure by circulation, the Secretary of the authority concerned shall send to each member such particulars of the matters as may be reasonably necessary in order to enable the member to arrive at a decision and shall specify the date by which the votes of the members are to be received in the office of the concerned authority. Upon receipt of the votes of the members as aforesaid, the Secretary concerned shall lay the papers before the Chairman, who shall record the decision by endorsement on the application for grant of a permit according to the votes received and the vote or votes cast by him. The record of the votes cast shall be kept by the Secretary and shall not be available for inspection by any person save by a member, at a regularly constituted meeting of the concerned authority. No decision shall be made upon procedure by circulation before the date by which the votes of the members are required to reach the office of the authority, or not less than one-third of the members of the authority by notice in writing to the Secretary, demand that the matter be referred to a meeting of the authority.

(5) The number of votes, excluding the Chairman's second or casting vote necessary for a decision to be taken upon procedure by the circulation shall not be less than the number necessary to constitute a quorum.

(6) Nothing in this rule shall prevent a State Transport Authority or a Regional Transport Authority to decide upon procedure by circulation any matter which has been considered at a meeting.

(7) When a matter is decided by votes of the members present at a meeting of the State Transport Authority or a Regional Transport Authority no person other than a member shall be entitled to be present and no record of the voting shall be kept, save of the number of votes cast on either side :

Provided that when any matter is decided by the exercise of second or casting vote of the Chairman, the fact shall be recorded.

(8) In case the non-official members of the State Transport Authority or a Regional Transport Authority differ on any matter en-block from the official members, the matter shall be referred for decision to the Government in the case of State Transport Authority and to the State Transport Authority in the case of a Regional Transport Authority.

Section 96 (2) (1)

61. Conditions for issuing directions by the State Transport Authority.—(1) While issuing directions under sub-section (4) of section 68 the State Transport Authority shall ensure that there is no undesirable and uneconomic competition amongst the holders of the permits and it shall also ensure compliance of the limit upon the number of permit and on the classes of permits for a specified route or area, if imposed.

(2) The State Transport Authority or any Regional Transport Authority may delegate any powers exercisable by them on any officer subject to directions and restrictions imposed by the State Government.

Sections 68 (4) & 96 (2) (XXXIII).

62. Forms of applications.—Applications for grant of a permit of vehicles under sections 70, 73, 76, 77, 87 or 88 shall be made in the following forms mentioned against each, namely :—

Description of Vehicle form :—

- (i) Stage carriage H. P. Form XXIPst.SA.
- (ii) Contract carriage H. P. Form XXII P.C.O.C.A.
- (iii) Private Service Vehicles H. P. Form XXIII PSVA.
- (iv) Goods Carriage H. P. Form XXIV P.Gd.C.A.
- (v) Temporary permit and H. P Form XXV Temp.A.
- (vi) Special permit under section 88 (8) H. P. Form XXVI S.Sp.A

Sections 62, 96 (2) (iv) & 88

63. Particulars of application.—An application for grant of permit of a vehicle made under section 70, section 73, section 76, section 77 or section 87 shall be accompanied by the following documents namely :—

- (i) cash receipt or treasury challan regarding payment of application fee;
- (ii) certificate of eligibility (in case the application is made for grant of a permit against reserved percentage);

- (iii) affidavit to the effect that the applicant held at any time any temporary or regular permit and if so the details of permits previously held alongwith number of vehicles in the fleet and arrangements for their housing and repair, individually or as a member of a transport society, a transport company or a transport firm.
- (iv) particulars of partners or members of the transport society, transport company or transport firm alongwith certificate from the Registrar, Co-operative Societies, Himachal Pradesh, the Registrar of firms, Himachal Pradesh, or the Registrar of Companies, as the case may be, alongwith present address and permanent address of such partners or members;
- (v) clearance certificate regarding payment of taxes and no objection certificate from the financier for each vehicle; and
- (vi) discharge certificate in case of being an ex-serviceman.

Sections 96 (2) (iv) & 88

64. Procedure of Regional Transport Authority in considering application for permit.—Where the number of applications is in excess of the number of permits fixed to be issued under any direction of the State Government or any other Authority, the Regional Transport Authority shall, while considering an application for a stage carriage permit or a contract carriage permit or a goods carriage permit, have regard to the following matters in addition to those specified in section 71, section 74 or section 79, namely :—

- (i) inviting of objections on the applications by way of a notice containing the contents of the applications alongwith the period by which the objections are to be made which should be published in a newspapers of standing circulation in the State at the expense of the applicant;
- (ii) fixation of aforesaid notice at the notice board outside the office of the Regional Transport Authority concerned; and
- (iii) providing an opportunity of hearing to the person or persons making objections before the disposal of applications.

Sections 71 (3) (iii) and 96 (2) (xxxi)

65. Form of Permits.—(1) A permit under section 72, section 74, section 76, section 79, section 80, section 87 and section 88 of the Act shall be in the following forms, namely :—

Description of Permit

Form

- | | |
|--------------------------------------|-------------------------|
| (i) Stage Carriage Permit | H P Form XXVII P.St.S. |
| (ii) Contract Carriage permit | H P Form XXVIII P.Co.C. |
| (iii) Private Service Vehicle Permit | H P Form XXIX P.PSV |
| (iv) Goods Carriage Permit | H P Form XXXP.GD.C |
| (v) Temporary Permit | H P Form XXXI P.Temp |
| (vi) Special Permits | H P Form XXXII S.P. |
| (vii) National Permit | H P Form XXXIII NP.Gd.C |

(2) Save in the case of a temporary permit, every permit shall be in two parts A & B. One copy of Part A shall be issued together with a number of copies of Part-B equal to the number of vehicles which the holder of the permit is permitted to have in use on the road at any one time. Each such copy shall carry in addition to the number of permit, a separate serial number contained in brackets after the number of the permit is issued and shall be sealed and signed by authority by which the permit is issued and by the authority by which the permit is countersigned.

(3) The holder of a permit shall cause the relevant copy of Part B thereof or the temporary permit, as the case may be, to be carried in a frame or other suitable container affixed to the inside of one of the doors used by passengers for gaining access to the vehicles and shall maintain it in a clean and legible condition.

Sections 96 (2) (iv) and 88

66. *Extension of validity of permits.*—(1) With the concurrence of the other Regional Transport Authority concerned and subject to the control of the State Transport Authority, a Regional Transport Authority which issues a permit may extend the effect of the permit to any other region or part of a region within the State and may attach conditions of the permit with respect to such other region and may vary the conditions of the permit in different regions, provided always that in the case of stage carriages the vehicles to which the permit refers are normally kept within the region of the Regional Transport Authority and subject to the other provisions of the rules.

(2) An authority outside the State may with the concurrence of the State Transport Authority and subject to any conditions which may be mutually agreed upon by the two State Transport Authorities concerned, extend the effect of any permit to the whole of the State or to any route or area therein.

(3) A permit granted by the State Transport Authority or a Regional Transport Authority of any of the signatory states of the agreement referred in sub-section (4) of section 88 in terms of such agreement shall be valid without counter signatures in the state on all National and State Highways or other routes specified on that agreement.

(4) The State Transport Authority or a Regional Transport Authority which issues a permit under sub-rule (1) or sub-rule (2), as the case may be, shall send a copy of the permit to his counter-part of the other State or region in which the permit has to take effect.

Sections 66 and 96 (2) (xi)

67. *Application fee for counter-signatures, grant or renewal of permit.*—(1) Every application for the counter-signatures, grant or renewal of a permit under the Act shall be accompanied by cash receipt or a treasury challan showing the deposit of following fees, namely :—

	Temporary	Regular
(i) Light (goods) motor vehicles	10.00	20.00
(ii) Medium/heavy goods motor vehicles	25.00	50.00
(iii) Contract carriage cabs/auto-rickshaws	10.00	20.00
(iv) Contract carriage maxi-cabs	15.00	30.00
(v) Contract carriage buses	25.00	50.00
(vi) Jeeps stage carriage (seating capacity upto passenger excluding driver) for each region.	10.00	20.00
(vii) Other stage carriage and private service vehicles for each region.	25.00	100.00
(viii) Special permit fee under Section 88 (8) of the Act		10.00 :

Provided that no fee shall be payable for a permit issued to Foreign Embassies in India in respect of transport vehicles owned by them.

(2) A Regional Transport Authority receiving a fee for an application for a permit or the counter-signatures of a permit shall prepare a separate receipt in Form HPXXXIV RPF which shall be delivered to the person tendering the fees.

Section 96 (2) (vii) and (viii)

68. Fees for permits and counter-signatures.—(1) The following fees shall be payable for the issue, renewal and for counter-signatures of permits under the Act namely :—

Particulars vehicles	Permit fee for grant/ renewal/counter- signature	
	Regular First year	Permits each sub- sequent year
(a) Goods and Contract Carriages :		
	Rs.	Rs.
(i) Light Goods Motor Vehicles	200.00	125.00
(ii) Medium/Heavy Goods Motor Vehicles	300.00	250.00
(iii) Contract Carriages Cabs Auto-rickshaws	200.00	125.00
(iv) Contract Carriages Maxi Cabs	250.00	150.00
(v) Contract Carriage Buses	300.00	250.00
(b) A vehicles other than Goods and Contract Carriages:		
	Permit fee for the region in which permit is granted/renewed/ counter-signed	Additional fee for each region. for which permit is granted/renewed counter-signed
	1st year	Each sub- sequent year
	Rs.	Rs.
(i) Jeep stage carriages	200.00	125.00
(ii) Other stage carriages and private service vehicles	300.00	250.00
	Rs.	Rs.
	125.00	100.00
	200.00	125.00

Provided that where a temporary permit is granted pending consideration of an application for a permit under section 70, section 73, section 76 or section 77, Regional Transport Authority may, in its descretion and subject to such directions, if any, as may be issued by the State Transport Authority, at the time of granting a regular permit direct that a sum equal to a part or the whole of any fee paid, for the temporary permit shall be deducted from the fee payable for the regular permit :

Provided further that in the case of service of stage carriage the permit fee shall be charged on the basis of number of vehicles to be specified in the permit and accordingly numbers of parts B of the permit shall be issued.

Explanation.—(1) The expression “regular permit” used in this rule and in rule 89 means a permit issued after consideration of an application in accordance with the provisions of the Act.

(2) Fees shall be paid in advance to the Regional Transport Authority for the period for which the permit is issued.

(3) A Regional Transport Authority receiving a fee for a permit or the counter-signatures of a permit shall prepare a separate receipt in Form HP XXXIV RPF for each part B of the permit which shall be delivered to the person tendering the fee.

(4) The fee paid for a permit shall stand forfeited if the permit is subsequently cancelled.

Section 96 (2) (vii)

69. Fees for temporary permits.—(1) The fees in respect of temporary permit or counter-signatures on a temporary permit shall be :—

Particulars of vehicles

*Permit fee for grant/
counter-signature*

*Temporary/Special
permits*

<i>Upto seven days</i>	<i>Each sub- sequent week or part thereof</i>
<i>Rs.</i>	<i>Rs.</i>

(a) Goods and Contract Carriages ;

(i) Light Goods Motor Vehicles	50.00	25.00
(ii) Medium/Heavy Goods Motor Vehicles	60.00	30.00
(iii) Contract Carriages Cabs Autorickshaws	25.00	15.00
(iv) Contract Carriages Maxi Cabs	50.00	25.00
(v) Contract Carriage Buses	35.00	30.00

(b) Vehicles other than Goods & Contract Carriages :

Temporary/Special
permit under sec.88
(8) of M.V.Act per-
mit for the region
where permit is
granted/counter-
signed

Additional fee for
each region for which
the permit is granted/
counter-signed

	<i>Upto seven days</i>	<i>Each sub- sequent week or part thereof</i>	<i>Upto seven days</i>	<i>Each* sub- sequent week or part thereof</i>
	<i>Rs.</i>	<i>Rs.</i>	<i>Rs.</i>	<i>Rs.</i>
(i) Jeep stage carriages	50.00	25.00	25.00	20.00
(ii) Other stage carriages and private service vehicles	100.00	50.00	25.00	20.00

(c) For a duplicate copy of a temporary permit

Rs. 30.00:

Provided that no fee shall be payable for a permit issued to Foreign Embassies in India in respect of Transport Vehicles owned by them.

(2) Fees shall be paid in advance to the Regional Transport Authority for the period for which the permit is issued.

(3) A Regional Transport Authority receiving a fee for a permit or the counter-signatures of a permit shall prepare a separate receipt in Form HP XXXIV RPF for each Part B of the permit which shall be delivered to the person tendering the fee.

(4) The fee paid for a permit shall stand forfeited if the permit is subsequently cancelled.

Section 96 (2) (vii)

70. Limitation of capacity of stage carriages and contract carriages.—Save with the special permission of the Government, no permit or counter-signatures on the permit shall authorise the conveyance of more than seventy two passengers excluding the driver and the conductor in a stage carriage or contract carriage.

Section 96 (2) XV

71. Conditions for carriage of goods in stage carriage and contract carriage.—(1) No goods liable to foul the interior of a vehicle or which makes it insanitary shall be carried at any time in any stage carriage or a contract carriage.

(2) The dangerous or hazardous goods as specified in rule 137 of the Central rules or any other goods as may be specified by the Regional Transport Authority shall not be carried in stage carriage or a contract carriage.

Section 96 (2) (x)

(3) Subject to the provisions of the preceding sub-rules the goods may be carried in a stage carriage or contract carriage at any time in accordance with the conditions specified in the permit; provided that the obligation of the holder to carry passengers in accordance with the terms of the permit is discharged.

(4) When goods are carried in a stage carriage in addition to the passengers, the goods shall be of such a nature and shall be so packed and secured on the vehicle that no danger, inconvenience or discomfort is caused to any passenger. Such number of seats as may be specified in the permit shall be kept free and unimpeded for the use of passengers and the access to the entrance to and exit from the vehicle required under Chapter VII shall be unobstructed.

(5) The weight in kilograms of goods and personal luggage other than the luggage and effects allowed under sub-rule (1) of rule 72 carried in a stage carriage or contract carriage shall not exceed the maximum number of passengers for which the vehicle stands registered minus the number of passenger carried or numbers of passengers for whom seats are kept free and unimpeded by goods, whichever is greater multiplied by one hundred and sixty.

72. Carriage of personal luggage in stage or contract carriage.—(1) In the case of a permit for a stage carriage, it shall be a condition that the luggage and personal effects of each passenger shall be carried free of charges subject to the limits given below :—

(A) a stage carriage operating on routes other than route operating in urban areas locally—

(a) 30 kilograms for each passenger occupying a seat in a stage carriage registered as Deluxe or Air-Conditioned;

(b) 15 kilograms for each passenger occupying a seat in a stage carriage other than referred to in clause (a) above.

(B) Stage carriages operating on routes other than those specified in clause (A), 5 kilograms for each passenger; provided the luggage is carried by the passenger in his lap or underneath his seat :

Provided that small articles such as overcoats and hand bags and the like shall not be weighed.

(2) Subject to any directions issued by the State Transport Authority, a Regional Transport Authority may impose on the use of any contract carriage conditions in regard to the weight of luggage and goods which may be carried therein, general or in any specified area.

Sections 96 (2) (xvi), 72(2)(xxiv) & 96 (2) (xxxiii)

73. Conditions that may be attached to a stage carriage permit or contract carriage permit.—A Regional Transport Authority may attach to a stage carriage permit or a contract carriage permit the following conditions in addition to those specified in sub-section (2) of section 72, sub-section (2) of section 74, section 84 or sub-section (11) of section 88, as the case may be namely :—

- (i) a conductor shall be carried at the back of the vehicle;
- (ii) the holder of a stage carriage permit shall provide specified uniforms to the driver and the conductor;
- (iii) the holder of a stage carriage permit shall exercise supervision over the work and conduct of the employees as is necessary to ensure that the vehicle is operated in conformity with the provisions of the Act and the rules;
- (iv) in the case of a contract carriage permit, no passenger or goods shall be taken up or set down enroute; and
- (v) in case of any alteration in the vehicle in pursuance of the provisions of section 52, the holder of a stage carriage permit or a contract carriage permit, as the case may be, shall intimate that fact to the Regional Transport Authority by which the permit was given and if the alteration does not conform to the conditions of the permit, the Regional Transport Authority shall be at liberty to—
 - (a) vary the permit accordingly; and
 - (b) require the permit holder to provide a substitute vehicle within such period as the authority may specify and if the holder fails to comply with such requirement, it may cancel or suspend the permit and the authority making a variation in the permit or cancelling or suspending the permit as aforesaid shall intimate this fact to the authority of any other region in which a permit is valid by virtue of counter-signatures otherwise; and
- (vi) the holder of a stage carriage or a contract carriage permit shall pay all the taxes leviable in the State on such vehicles.

Sections 72 (2) (xxiv), 74(2)(xiii) and 96 (2) (xxxiii)

74. Condition that may be attached to a goods carriage permit.—A Regional Transport Authority may attach to any goods carriage permit the following conditions in addition to those specified in sub-section (2) of section 79 and section 84, namely :—

- (a) no passenger or goods shall be taken up or set down enroute;
- (b) a condition restricting the type and the ownership of goods which may be carried;

- (c) no trailer shall be attached to the vehicle; and
- (d) the holder of goods carriage shall pay all the taxes leviable in the State on such vehicles.

Section 79 (2) (ix) and 96 (2) (xxxiii)

75. Cancellation or revocation of permit.—When a permit has been granted on an application by a Regional Transport Authority in respect of a particular vehicle or service of vehicles and it appears that a permit has been granted by another Regional Transport Authority—

- (i) in respect of the same vehicle; or
- (ii) in respect of a service of vehicles requiring the use of a greater number of vehicles than the holder of permit possessed at the time of the application,

the former Regional Transport Authority may in consultation with the later Regional Transport Authority, forth cancel or modify the permit in such manner as it may deem fit.

Section 96 (2) (ix)

76. Temporary authorisation in lieu of permit.—(1) When the holder of a permit has submitted part A or part B, or both, of the permit to the State Transport Authority or Regional Transport Authority for renewal or countersignatures of the permit or for any other purpose, or when a police officer or any court or other person authorised by the Government under section 206 has taken possession of a permit from the holder thereof, the aforesaid authorities or the person shall furnish to the holder a receipt for the permit and a temporary authorisation in Form H.P. XXXV Temp P. Receipt to ply the vehicle, during such period as may be specified, in the said temporary authorisation, and during the said period the production of the temporary authorisation on demand, shall be deemed to be a valid production of the permit :

Provided that the authority by which temporary authorisation was granted shall extend the period for which the temporary authorisation is to remain valid until the permit is returned but such extension shall not be beyond the period of validity of the permit.

(2) Until a permit referred to in sub-rule (1) has been returned to the holder thereof, the vehicle concerned shall not be plied beyond the period as specified in the temporary authorisation referred to in sub-rule (1) or the extended period under the proviso to that sub-rule.

(3) No fee shall be payable in respect of such temporary authorisation.

Section 95 (1)

77. Permission authorising the replacement of a vehicle.—(1) If the holder of a permit relating to a particular vehicle desires at any time to replace the vehicle with another, he shall forward Part A of the permit and apply in writing in H.P. Form XXXVI M. V. Rep. A. to the State or a Regional Transport Authority by which the permit was issued stating the reasons why the replacement is desired and shall—

- (i) forward the certificate of registration, if the new vehicle is in his possession; or
- (ii) state any material particular in respect of which the new vehicle will differ from the old, if the new vehicle is not in his possession.

(2) Upon receipt of an application under sub-rule (1), the State or a Regional Transport Authority may in its discretion reject the application—

- (i) if it has prior to the application given notice of its intention to reduce the number of transport vehicles of that class generally or in respect of the route or area to which the permit applies, or
- (ii) if the new vehicle proposed differs in material respects from the old; or
- (iii) if the holder of the permit has contravened the provisions of the permit or has been deprived of the possession of the old vehicle under the provisions of a hire purpose agreement :

Provided that in considering an application for new permit within its area, the State or a Regional Transport Authority shall, other things being equal, give preference to an applicant who has been deprived of a permit by the operation of clause (i) of this sub-rule.

(3) If the State or a Regional Transport Authority grants an application for the replacement of a vehicle, it shall call upon the holder of the permit to produce Part B of the permit and the certificate of registration of new vehicle, if not previously delivered to it and shall correct Parts A and B of the permit and return them accordingly under its seal and signatures to the holder.

(4) A fee of rupees twenty five shall be charged for the replacement of a vehicle under this rule.

Section 83

78. Permits for the replacement of vehicle forming part of a service.—(1) If a permit relates to more than one stage carriage or contract carriage, and the owner thereof desires at any time to replace any vehicle covered by the permit by vehicle of a different model or capacity, he shall forward part A of the permit with an application, in writing in Form XXXVI to the State or a Regional Transport Authority by which the permit was issued, stating the reasons for replacement alongwith the relevant particulars of the vehicles to be replaced and of the new vehicle.

(2) On receipt of an application under sub-rule (1) the State or a Regional Transport Authority may, in its discretion, reject the application—

- (i) if it has prior to the application given notice of its intention to reduce the number of transport vehicles of that class generally or in respect of the route or area to which the permit applies;
- (ii) if the new vehicle differs in material respects from the old; or
- (iii) if the holder of the permit has contravened any of the provisions of the permit or has been deprived of possession of the old vehicle under the provisions of a hire-purchase agreement.

(3) If the Regional Transport Authority grants an application for the replacement of a vehicle, it shall call upon the holder of the permit to produce Part B of the permit and shall correct Parts A and B of the permit accordingly under its seal and signatures and return to the holders.

(4) A fee of twenty five rupees shall be charged for the replacement of a vehicle under this rule.

Section 79

79. *Treatment of any countersignatures on the permit of replaced vehicle.*—(1) The authority granting permission for the replacement of a vehicle under rules 77 and 78 shall, unless the authority by which the permit was countersigned by general or special order has otherwise directed, endorse Parts A and B of the permit under the aforesaid rules, the words, "Valid also for", inserting the name of the authority concerned and shall intimate the particulars of the replacement to such authority.

(2) Unless the permit has been endorsed as provided in sub-rule (1) or unless the alteration has been approved by endorsement by counter signing authority, the countersignatures on a permit shall not be valid in respect of any new vehicle.

80. *Surrender of permits.*—(1) The holder of a permit may, at any time, surrender it (Parts A and B of permit) to the State or Regional Transport authority by which it was granted and the State or Regional Transport Authority shall forthwith cancel any permit so surrendered.

(2) When the State or a Regional Transport Authority suspends or cancels any permit,—

- (i) the holder shall surrender parts A and B of the permit within seven days of the receipt of a demand in writing by the authority; and
- (ii) the authority suspending or cancelling the permit shall send intimation to any other authority by which the permit has been countersigned and to any authority to whose area the validity has been extended under rule 66.

(3) A holder shall deliver Parts A and B or Part B to the State or a Regional Transport Authority by which it was issued within fourteen days of the expiry of any permit by efflux of time. The State or a Regional Transport Authority receiving any such permit shall intimate the fact of surrender to the authority or authorities by which it may have been countersigned and to any authority to whose area the validity has been extended under rule 66.

Section 86 and 96 (2) (ix)

81. *Transfer of a permit.*—(1) When the holder of a permit desires to transfer the permit to some other person under sub-section (1) of section 82, he and the person to whom he desires to make the transfer shall make a joint application in writing in H.P. Form XXXVII Tr. P A accompanied by a cash receipt or treasury challan of fee specified for making application for grant of permit to the State or a Regional Transport Authority by which the permit was issued, setting forth the reasons for the transfer and stating whether any premium, payment or other consideration arising out of the transfer is to pass or has passed between them and the nature and amount of any such premium, payment or consideration.

(2) The State or a Regional Transport Authority, as the case may be, shall summon both the parties to the application made under sub-rule (1) to appear before it and may deal with the application as if it were an application for a permit :

Provided that a permit granted out of the permits reserved by the Government under clause (b) of sub-section (3) of section 71 shall not be transferable save as provided under sub-section (2) of section 82 and if any person, who is granted or holds a permit out of the permits reserved as aforesaid does not want to make use of it, he shall surrender it to the authority which granted it.

(3) If the State or a Regional Transport Authority having permitted any transfer of a permit is subsequently satisfied that the contents of the application on which the transfer was allowed were false or incomplete in respect of the matter specified in sub-rule (1) or any other material

particulars, it may after hearing the parties thereupon declare the transfer to be void and the permit shall thereupon, without prejudice to any other penalty to which the parties may be liable, cease to have validity.

Section 96 (2) (vii)

(4) (i) If the State or a Regional Transport Authority allows transfer of a permit under sub-rule (2), it shall call upon the holder of the permit, in writing, to surrender Parts A and B of the permit within seven days of the receipt of the order and shall likewise call upon the person to whom the permit is to be transferred to deposit the sum of twenty-five rupees, as transfer fee.

(ii) Upon receipt of Parts A and B of the permit and of the specified fee, the State or a Regional Transport Authority, as the case may be, shall cancel the particulars of the holders thereon and endorse particulars of the transferee and shall return the permit to the transferee.

(iii) The State or a Regional Transport Authority making a transfer of a permit as aforesaid may, unless any other State or Regional Transport Authority by which the permit has been countersigned by general or special order has otherwise required, endorse parts A and B of the permit with the words "valid for..." inserting the name of the extra area or route for which the permit has been countersigned.

(iv) Unless Parts A and B of the permit have been endorsed as provided in clause (iii) or unless the transfer of a permit has been approved by endorsement by the authority which countersigned the permit, the countersignatures shall be of no effect after the date of transfer.

Section 96 (2) (vii)

82. Regulation of Service of Contract Carriage.—A stage carriage when used as a contract carriage or a contract carriage shall,—

- (i) proceed to the destination made by the hirer through the shortest route;
- (ii) not revoke the hiring contract without being discharged by the hirer;
- (iii) station the vehicle in the stand in the order it arrives there and shall leave the stand on its turn; and
- (iv) not remain at any public place except when engaged.

Section 95

83. Issue of duplicate permits.—(1) When part A or Part B of any permit has been lost or destroyed, the holder shall forthwith intimate the fact to the State or a Regional Transport Authority by which the permit was issued and apply for the issue of a duplicate permit or Part of a permit, as the case may, provided that in the case of loss or destruction of Part B of the permit, he shall forward Part 'A' of the permit :

(2) The State or a Regional Transport Authority shall, upon receipt of application in terms of sub-rule (1), issue a duplicate permit or part or parts of a permit, as the case may be, and to the extent that it is able to verify the facts, may endorse thereon certified copies of any countersignatures by other authority, intimating the fact to that authority.

(3) A duplicate permit or duplicate part of a permit issued under sub-rule (2) shall be clearly stamped "Duplicate" in red ink and the certified copy of any countersignatures by any other State or Regional Transport Authority a permit or a part of a permit made under the aforesaid sub-rule (2) shall be valid in the region of that other authority as if it were countersignatures made by it.

(4) When a permit or a part of a permit has become so dirty, torn or defaced as in the opinion of the State or a Regional Transport Authority, as the case may be, to be illegible, the holder thereof shall surrender the permit or part of the permit, as the case may be, to the State or a Regional Transport Authority and apply for the issue of a duplicate permit or part of a permit.

(5) The fee for the issue of a duplicate permit or part of a permit shall be fifty rupees for part A and twenty rupees for each copy of Part B :

Provided that no fee shall be charged in the case of a duplicate permit issued in pursuance of sub-rule (4) if the original permit was issued prior to three years.

(6) Any permit or part of a permit which is found by any person shall be delivered by that person to the nearest Police Station or the holder or to the State or a Regional Transport Authority by which it was issued and if the holder finds or receives any permit or part of a permit in respect of which a duplicate permit has been issued, he shall return the original to the concerned State or the Regional Transport Authority.

Section 96 (2) (v)

84. *Production of permit on demand.*—(1) Part A of a permit shall be produced on demand made at any reasonable time by any officer under the control of the Director or any police officer not below the rank of a Sub-Inspector, if he is in uniform and such official may also mount any transport vehicle for the purpose of inspecting Part B of the permit.

Section 96 (2) (XXX)

85. *Appeals against orders of state/Regional Transport Authority.*—(1) A person desiring to prefer an appeal against an order of the State or a Regional Transport Authority of the kind referred to in sub-section (1) of Section 89 shall, within thirty days of the receipt of the said order, prefer an appeal in the form of a memorandum, in duplicate, one copy of which shall bear a court fee stamp of twenty rupees to the State Transport Appellate Tribunal constituted under sub-section (2) of section 89 (hereinafter referred to in these rules as the appellate authority) seating forth concisely the grounds of objections to the order of the State or a Regional Transport Authority, as the case may be, together with a certified copy of the order.

Section 96 (2) (iii) and (xlii)

(2) Upon receipt of an appeal in accordance with sub-rule (1), the appellate authority shall appoint a time and place for hearing of the appeal giving the parties not less than thirty days notice.

(3) An appeal shall not operate as a stay of the order appealed against nor shall the appellate authority make an *ex-parte* order for stay pending the hearing of the appeal. The appellate authority shall not decide any appeal or pass any order thereon unless an opportunity of being heard has been given to the appellants and the respondents and the State or a Regional Transport Authority which passed the order appealed against.

(4) The appellant or the respondent shall be entitled to obtain a copy of any document filed in connection with the order appealed against on payment of a fee at the rate of two rupees per page and to inspect the file of the appellate authority and the application for inspection shall bear a court fee stamp of,—

(a) in respect of urgent inspection ten rupees; and

(b) in respect of an ordinary inspection five rupees.

(5) A copy of the orders made by the appellate authority in appeal may be obtained on payment of a fee at the rate of two rupees per page.

86. Procedure in hearing appeals.—On the appellate authority appointing a time and place for hearing under rule 85, the appellant shall, within fourteen days of the receipt of intimation that a hearing will take place, forward to the appellate authority a list of the documents upon which he proposes to rely, together with copies of such documents in duplicate, and may upon the appointed day and at subsequent hearings, appear either in person or through an agent or representative authorised by him, in writing, in this behalf.

Section 96 (2) (iii) and (xiii)

87. Definition of period of rest.—(1) Any time spent by a driver of a vehicle on work other than driving in connection with the vehicle or with the load carried or to be carried on the vehicle including any time spent on the vehicle during a journey save as a passenger in a public service vehicle shall not be deemed to be an interval of rest for the purposes of section 91.

(2) Any time spent by a driver of a vehicle on or near the vehicle when the vehicle is at rest and the driver is at liberty to leave the vehicle for rest and refreshment although required to remain within sight of the vehicle, shall be deemed to be an interval of rest for the purpose of sub-section (1) of section 91.

Section (91) (5)

88. Record of working hours to be maintained.—The employer of any person whose work is subject to the provisions of sub-section (1) of section 91 shall fix the hours of work of such person so as to conform with those provisions and shall record the working hours in the table specified below and this record will be open to inspection by any officer under the control of the Director on demand :—

NAME OF THE EMPLOYEE

Date	Working hours in a day	Hours of rest	Total number of working hours in a week
1	2	3	4

Section 91

89. Lost property.—(1) In the case of a public service vehicle other than Government owned vehicles, the conductor, or if there is no conductor, the driver shall, at the conclusion of a journey, make search in the vehicle for anything left by any passenger and shall take into his custody anything so found by him or any other person in such vehicle as soon as may be make over the same to a responsible person at any office or station of the permit holder or to an officer of a police station. The responsible person at any office or station of the holder of the permit of the vehicle receiving the aforesaid goods shall keep them safe and if the goods are not claimed by the owner or any other appearing to him to be entitled thereto, shall, if such owner of goods is known, cause a notice to be served upon him requiring him to remove the goods. If such owner is not known or a notice cannot be served upon him or he does not comply with the requisition in the notice, such property shall be deposited with the nearest police station as unclaimed property after three months of taking over charge thereof :

Provided that if the goods are of perishable nature and are not claimed within forty eight hours, they shall be disposed of by the responsible person at the station of the holder of the permit by public auction and the receipts thereof shall be handed over to the owner if claimed within a week after which they shall be deposited with the nearest police station against proper receipt.

(2) In the case of a Government owned vehicle, the conductor or if there is no conductor or the driver shall deposit the goods in the nearest office of the State Transport Undertaking and if the goods are not claimed by the owner or any other person appearing to the incharge of the office of the State Transport Undertaking to be entitled thereto, he shall, if such owner or person is known, cause a notice to be served upon him, requiring him to remove the goods. If such owner or person is not known or a notice cannot be served upon him or he does not comply with the requisition in the notice, such Incharge may, after three months of taking over charge of the goods sell the goods by public auction and proceeds thereof shall be credited into the Government treasury :

Provided that if the goods are of perishable nature and are not claimed within forty eight hours, they shall be disposed of by the Incharge by public auction and the receipt thereof credited into the Government treasury.

(3) If the goods are claimed within the period specified, a charge of one rupee per kilogram or a part thereof subject to a minimum charge of two rupees shall be levied. The unclaimed articles shall also be liable to these charges on account of their custody and disposal.

(4) Where articles such as arms, ammunition, explosive, intoxicating liquors, opium and its preparation and hemp and drugs, etc. the sale of which is prohibited by law, are left unclaimed, they shall be made over to the police or excise authorities for disposal under the laws affecting the articles.

(5) Proper accounts shall be maintained in a separate register which shall be open for inspection to the authorities.

Sections 96 (2) (xvii) and 107 (2) (f)

90. *Conduct of passengers in a stage carriage.*—If at any time a passenger in a stage carriage.—

- (i) behaves in a disorderly manner;
- (ii) behaves in a manner likely to cause annoyance to any female passenger;
- (iii) uses abusive language;
- (iv) molests any other passenger;
- (v) enters the vehicle under the influence of liquor or drugs;
- (vi) spits;
- (vii) obstructs the conductor or the driver or any authorised employee of the permit holder in the execution of his duties or interferes without due cause with the driving of the vehicle;
- (viii) intentionally avoids payment of the fare;
- (ix) refuses to show ticket on demand by any authorised person;
- (x) uses or attempts to use any ticket which has been altered or defaced or in the case of ticket bearing an indication that it is not transferable issued to another person;
- (xi) is reasonably suspected to be suffering from any contagious or infectious disease;
- (xii) commits or abets any offence under the Act or the rules;
- (xiii) uses or attempts to use a ticket other than the ticket valid for a particular journey;

- (xiv) carries with him in the vehicle luggage of a description which is likely to obstruct, annoy or cause inconvenience or be offensive to any other passenger;
- (xv) occupies accommodation for more than one seat or without lawful excuse occupies any seat exclusively reserved for ladies or other categories or passengers;
- (xvi) refuses to pay a fresh fare for the journey performed by him if he has so altered or defaced his ticket as to render its contents illegible;
- (xvii) is found travelling without ticket pertaining to the journey being performed by the vehicle at the time of his being so found, he shall be liable to pay ten times the ordinary fare and if refuses to do so ;
- (xviii) refuses to leave the vehicle, if so requested by the conductor or driver at the completion of the journey for which he has paid the fare;
- (xix) knowingly enters and insists on travelling in a vehicle which is carrying the maximum number of passengers as specified for that vehicle;
- (xx) hangs on to any exterior part of a vehicle or sits on the roof or bonnet of the vehicle;
- (xxi) wilfully damages, spoils, removes or interferes with any fittings or equipment on or of the vehicle ;
- (xxii) enters or alights from a vehicle except by the entrance or exit provided for the purpose ;
- (xxiii) attempts to enter a vehicle without first permitting passengers who have completed their journey to alight;
- (xxiv) enters or leaves a vehicle except in a queue and in an orderly manner;
- (xxv) distributes printed or similar matter of any description or distributes any articles for the purpose of advertisement; or
- (xxvi) to the annoyance of other passengers, uses or operates any noisy instrument or makes or combines with any person to make any excessive noise by singing or otherwise;
- (xxvii) begs, sells or offers for sale any article in or on the vehicle ; and
- (xxviii) smokes;

the driver or the conductor or any authorised person of the service or any officer under the control of the Director may require such passenger to alight from the vehicle and may stop the vehicle and keep it standing until the passenger has alighted, or on the request of the driver or conductor may be removed from the vehicle by any police officer or any officer of the State Transport Undertaking.

(2) The Passenger referred to in sub-rule (1) shall not refuse to give his correct name and address on demand for contravention of these rules and shall not be entitled to the refund of any fare which he may have paid and also be guilty of an offence for which he shall be liable to pay the penalty under section 177.

Section 95

91. *Prohibition of use of force to collect passenger.*—No driver or conductor of a public service vehicle or agent for the sale of tickets shall touch, annoy or use force to any person with the object of inducing that person or any other to travel in any public service vehicle or shout loudly or use any horn, bell gong, whistle, gramophone, loudspeaker, musical instrument or other device for creating loud noise with the object of attracting passengers.

Section 96 (2) (xxvii)

92. Sale of tickets.—No driver or conductor of a public service vehicle or agent for the sale of tickets in a public service shall sell or attempt to sell tickets or solicit customers in any place which has been notified by the District Magistrate, by public proclamation or in such other manner as he may find convenient, as a place in which such sale or soliciting is not permitted.

Section 96 (2) (xxviii)

93. Licensing of ticket agents.—(1) No person shall act as an agent for the sale of tickets for travel by a public service vehicle, otherwise than in the vehicle itself or in a fixed office, unless he has obtained from the licensing authority a license permitting him to do so.

Explanation.—For the purposes of this rule, the Regional Transport Authority shall be the licensing authority.

(2) For the purpose of sub-rule (1), any person soliciting or attempting to persuade another person to travel in a vehicle shall be deemed to be acting as an agent for the sale of ticket for travel.

Section 96 (2) (xxviii)

94. Issue of ticket agent's license.—(1) Licenses under rule 93 shall consist of—

- (a) a permit in Himachal Pradesh Form XXXVIII TAP; and
- (b) a metal badge of the kind illustrated in the First Schedule to these rules.

(2) No license shall be issued to any agent except on the application of the person or transport society, transport firm or transport company, being a holder of a permit, for one or more public service vehicles, for whom the agent is to act. The person or transport society, transport firm or transport company making the application (hereinafter called in these rules the principal) shall be required to complete and authenticate the first part of the permit in Himachal Pradesh Form XXXVIII TAP the other entries being completed by or under the orders of the licensing authority.

(3) The fee for issue of a ticket agent's license shall be fifty rupees.

Section 96 (2) (xxviii)

95. Cancellation of ticket agent's license.—(1) The licensing authority shall forthwith cancel any license issued under rule 93 upon request made to it by the principal or whose application it was granted.

(2) A principal proposing to apply for the cancellation of a license issued to an agent on his application may call upon the agent to surrender the permit and badge, and the agent shall be bound to surrender the same to the principal forthwith.

(3) Where a principal requires any agent to surrender his badge and permit under sub-rule (2), he shall forward the same with his application for cancellation of the license to the Licensing authority with the least possible delay and in all case within forty eight hours.

Section 96 (2) (xxviii)

96. Term of ticket agent's license.—Unless a shorter term is appointed, a ticket agent's license shall be valid for one year from the date of issue or renewal but may be cancelled at any time by the licensing authority if it appears to it that the conduct of the agent in his relations with the public has been unsatisfactory or that the agent is not a suitable person to continue as such.

Section 96 (2) (xxviii)

97. *Ticket Agent's badge to be exhibited.*—(1) A ticket agent shall carry his badge and permit on his person at all times when he is engaged in his duties, the badge being displayed prominently on the left breast.

(2) The ticket agent shall be bound to produce his permit in H. P. Form XXXVIII-TAP on demand of any police officer in uniform not below the rank of a Sub-Inspector or an officer under the control of the Director.

98. *Appeal against the orders made under rules 94, 95 & 96.*—(1) The authority to whom an appeal may be preferred against the order of the licensing authority refusing to grant a ticket agent's license under rule 94, cancellation of ticket agent's license issued on the request of the Principal under rule 95 or cancellation of ticket agent's license under rule 96 shall be the Director, whose decision shall be final in this behalf.

(2) The appeal under sub-rule (1) shall be preferred in the form of a memorandum which shall bear a cash receipt or a treasury challan of twenty rupees, setting forth concisely the grounds of objections to the order of the licensing authority and shall be accompanied by certified copy of the order appealed against.

(3) When an appeal is preferred, the Director shall issue a notice to the licensing authority against whose order the appeal is preferred.

(4) Any person preferring the appeal shall be entitled to obtain a copy of any document filed in connection with the order appealed against on payment of a fee at the rate of two rupees per page.

(5) Any person preferring the appeal shall be entitled to inspect the file of the Director and the application therefor shall be accompanied by a cash receipt or treasury challan of—

- | | |
|------------------------------------------|----------------|
| (a) in respect of urgent inspection | .. ten rupees |
| (b) in respect of an ordinary inspection | .. five rupees |

Section 96 (2) (xxviii)

99. *Conduct of ticket agent.*—The license ticket agent shall,—

- (i) behave in a civil and orderly manner with the passengers or intending passengers;
- (ii) not behave in a manner likely to cause annoyance or embarrassment to any female passenger ;
- (iii) not use abusive language towards any passenger or molest any passenger ;
- (iv) not save for good and sufficient reasons refuse to issue a ticket to any intending passenger tendering the legal fare;
- (v) not make any discrimination between the passengers ;
- (vi) not wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare for any journey ;
- (vii) properly guide the passenger to enable them to board the vehicle for which tickets have been issued to them ;
- (viii) not altercation with passengers and shall give them his name and license number if asked to do so ;
- (ix) not be under the influence of any intoxicant while on duty ; and
- (x) be dressed in such manner as the State Transport Authority may specify and shall observe cleanliness.

Section 96 (2) (xxviii)

100. Disinfection.—(1) All public service vehicles shall be disinfected with DDT or cammaxane formulations or any other disinfectant after every two months and the owners shall furnish to the Regional Transport Authority concerned a certificate to that effect duly signed by the Chief Medical Officer of Health or any other officer authorised by him in this behalf. The period of two months shall count from the day of the last certificate furnished as aforesaid :

Provided that if adequate arrangements for the disinfection of vehicles are made by any permit holder at his own premises to the satisfaction of the Chief Medical Officer of Health, a certificate of disinfection by such permit holder shall be sufficient.

(2) The owner of a public service vehicle shall maintain and on demand by the Secretary or Assistant Secretary of the Regional Transport Authority, produce for inspection a current register showing the dates on which the public service vehicle was disinfected from time to time.

101. Carriage of persons in goods carriage.—(1) Save in the case of a vehicle which is being used for the carriage of troops or Police or in the case of a stage carriage in which goods are being carried in addition to passengers no person shall be carried in a goods carriage other than its owner or hirer of the vehicle and the persons allowed under this rule.

(2) No person shall be carried in the driver's cab of a goods vehicle beyond the number for which there is seating accommodation at the rate of 380 millimeters measured along the seat excluding the space reserved for the driver for each person and not more than six persons in all connected with the load carried in addition to the driver shall be carried in any goods carriage :

Provided that in the case of a goods carriage owned by Government, carriage of more than six persons may be allowed by the State Transport Authority; provided that such number shall not exceed the area in square metres of the floor of the vehicle divided by 0.63 metre subject to a maximum of twelve persons.

(3) No person shall be carried upon the goods or otherwise in such a manner that such person is in danger of falling from the vehicle and in no case shall any person be carried in a goods vehicle in such a manner that any part of his person, when he is in sitting position, is at a height exceeding 3.048 metres from the surface upon which the vehicle rests.

(4) Notwithstanding the provisions of sub-rule (2), a Regional Transport Authority may, as a condition of a permit granted for any goods carriage, specify the conditions subject to which a larger number of persons may be carried in the vehicle; provided that such number shall not exceed the area in square metres of the floor of the vehicle divided by 0.63 subject to a maximum of twelve.

(5) Nothing contained in this rule shall be deemed to authorise the carriage of any person for hire or reward in any vehicle unless there is in force in respect of the vehicle a permit authorising the use of the vehicle for such purpose and save in accordance with the provisions of such permit.

Section 96 (2) (xxxi)

102. Conditions for carriage of animals in goods carriage.—(1) No animal shall be carried in a goods carriage in a public place unless,—

(i) the load body of the vehicle is constructed of strong wooden planks or of iron sheets with a minimum height of 1.05 metres measured from the floor of the vehicle in all sides and the back, and

(ii) the animal is properly secured by ropes tied to the side of the vehicle.

(2) While carrying animal in a goods carriage, the owner of the vehicle shall,—

- (i) not carry more than forty at a time when the wheel base of such vehicle is below 3.6 metres and not more than fifty when the wheel base of such vehicle is 3.6 metres or above in the case of goats, sheep, pigs, deer, rams, ewes, kids and the like ; and
- (ii) not carry more than four with calves young ones or five without calve /young ones, in the case of animals other than those referred to in clause (i) when the wheel base is below 3.6. metres and not carry more than five with calve /young ones or six without calves/young ones when the wheel base of such vehicles is 3.6 metres or above; and
- (iii) carry animals on the basis of floor space in the vehicle in accordance with the scale of floor space given below against each category of animals :—

Category of animals	Floor space required per animal
1. Mule or horse of gelding	2.20 square metres
2. Buffalo or buffalo bull	1.67 square metres
3. Cow or bullock or adult heifer or cow/bull	1.48 square metres
4. Pony or ass or colt or filly	1.20 square metres
5. Calves of two to three years	1.11 square metres
6. Calves below two years	0.74 square metres
7. Deer and pig	0.50 square metres
8. Sheep or ram and goat	0.32 square metres

(3) In the case of goods carriage the record of daily haulage shall be maintained by the permit holder in the following table, namely :—

Name and address of the permit holder	Type of permit vehicle	Permanent Temporary	Registration No. of	Carrier hire or Reward Trade & business/Pvt.
1	2	3	4	5

Date of Trip	No. of sender	Name & Address of Booking Agents	Name & Address of Consignee(s)	Name of Commodity carried	Weight Quintals/ kgs	Origin
1	2	3	4	5	6	7

Destination	Kms. i.e. distance performed between 7 and 8	Quintals/Kms Col.(6)&Col.(9)	Freight charged in rupees	Remarks
8	9	10	11	12

(Strike out where not applicable)

Signature of Permit-holder.

- N.B.—** (i) If more than one commodity is carried during the same trip or booked between places enroute the debits of each commodity have to be shown separately in separate lines under all columns.
- (ii) Generally origin and destination of the vehicle will be origin and destination of cargo. In case they are different origin and destination of cargos may be inserted under Cols. (7) and (8) respectively with a note in the remarks column showing origin and destination of the vehicle.

(4) No animal belonging to or intended for a circus or zoo shall be carried, in a 'goods carriage in public place unless, in the case of wild ferocious animal, a suitable cage, either separate from or integral with the load body of the vehicle, used of sufficient strength to contain the animal securely at all times is provided.

(5) No animal under sub-rule (1) or under sub-rule (4) shall be carried for more than 200 kilometres at a stretch and there shall be a break of four to six hours after eight hours of continuous journey.

(6) No goods carriage while carrying any animal shall be driven at speed in excess of twenty five kilometres per hour.

(7) No goods carriage shall, while carrying animals, carry another goods except fodder necessary to feed the animals in the way.

Section 96 (2) (xxvii)

103. Log book and complaint book to be maintained by the drivers of transport vehicles.—(1) The owner of a transport vehicle other than a stage carriage shall ensure that the driver of the vehicle maintains a log-book and enters particulars of every hiring consignment therein.

(2) The particulars to be entered in the log-book in the case of a contract carriage and a private service vehicle shall be as under:—

- the name of the hirer with sufficient particulars to enable him to be identified;
- the approximate number of persons included in the party;
- the starting point and finishing point of the trip and the route to be followed;
- the date and time from which the hiring has effect;
- the date and time when the journey is expected to be completed; and
- the nature and weight of any goods carried;

and in the case of goods carriage,—

- (i) Serial No.:
- (ii) Name of driver
- (iii) Hours of duty From..... to
- (iv) Description and weight of goods
- (v) Place and time with date of despatch
- (vi) Destination with probable time of arrival
- (vii) Distance
- (viii) Amount of freight charged
- (ix) Name and address of the consignor
- (x) Name and address of the consignee
- (xi) Signature and designation of inspection officer
- (xii) Remarks:

Provided that in the case of a vehicle carrying miscellaneous goods belonging to a number of owners, the record of each consignment shall be kept in the standard Way Bill Form as under:

1. Name of the owner.
2. Driver's name.
3. Vehicle No.
4. Consignor.
5. Consignee.
6. From.
7. To.
8. Nature of goods and weight.
9. Distance.
10. Freight.
11. Remarks.

(3) The particulars required by sub-rule (2) shall be entered in the log-book before the passengers or goods are taken into the vehicle and before the vehicle journey is begun.

(4) The provisions of this rule shall also apply to a stage carriage authorised for use as a contract carriage or the goods carriage.

(5) Log-books required to be maintained under this rule shall be signed and stamped by the Secretary of the State or a Regional Transport Authority, as the case may be, and be produced by the driver at any time when the vehicle is on the road or at any time on the demand of any police officer not below the rank of a Sub-Inspector or such other officer as may be authorised by the Director.

(6) A complaint book duly authenticated by the Secretary of the State or a Regional Transport Authority shall be kept in every stage carriage and contract carriage and shall be maintained in a clean and tidy condition by the conductor or the driver, as the case may be, and shall be produced by him on demand of any passenger, who shall be at liberty to make an entry therein.

Section 92 (2) (vi) and (xxxii) and 95 (1)

104. *Other records to be maintained.*—(1) The State or a Regional Transport Authority may, by general or special order, require the holder of a permit in respect of any transport vehicle to

maintain records and submit a return in respect of the vehicle in such form as that authority may specify and records and returns may include particulars of the daily use of the vehicle in respect of :—

- (i) the name and license number of the driver and conductor and other attendant, if any;
- (ii) the route upon which or the area within which the vehicle was used;
- (iii) the number of kilometres travelled;
- (iv) the time of commencement and termination of a journey and any halts on a journey when the driver obtained rests;
- (v) the weight of goods carried between specified places and the nature of the goods; and
- (vi) in the case of goods carried in a stage carriage, the number of trips and the kilometres when goods were carried solely and when goods were carried in addition to the passengers and in the later case the number of the seats available for passengers.

(2) No owner shall cause or allow any driver to drive a transport vehicle unless the owner has in his possession a record in writing of the name and address of the said driver as set forth in his driving license, the number of the license and the name of authority by which it was issued.

Section 96 (2) (xxxii)

105. Change of address of permit holder.—(1) If the holder of a permit ceases to reside or to have his place of business, as the case may be, at the address set forth in the permit, he shall within fourteen days, send Part A of the permit to the authority by which the permit was issued intimating the new address and shall pay a fee of ten rupees for making entry with regard to change of address.

(2) Upon receipt of intimation under sub-rule (1) the authority shall after making such enquiries as it deems fit, enter in the permit the name and address and shall intimate the particulars to the authority of any region in which the permit is valid by virtue of countersignature or otherwise.

Section 96 (2) (xxiv)

106. Intimation of damage to or failure of a public service vehicle.—(1) The holder of a stage, carriage or contract carriage permit shall, within seven days of the occurrence, report in writing to the authority by which the permit of that vehicle was issued, any failure of or damage to such vehicle or to any part thereof, if the failure or damage is of such a nature as to render the vehicle unfit for use in accordance with the conditions of the permit for a period exceeding three days.

(2) The holders of any permit in respect of a service of stage carriage shall, within seven days of the occurrence, report, in writing, to the authority by which the permit was issued, any failure of or damage to any vehicle used by them under the authority of the permit as of such a nature as to prevent the holder from complying with any of the provisions or conditions of the permit for a period exceeding three days.

(3) Upon receipt of a report under the preceding sub-rules, the authority by which the permit was issued, may subject to the provisions of rules 77 and 78—

- (i) direct the holder of the permit, within such period not exceeding two months from the date of the occurrence, as the authority may specify either to make good the damage to or set right the failure of the vehicle or to provide a substitute vehicle; or
- (ii) the damage to or failure of the vehicle is such that authority in the opinion of the said it cannot be made good or set right within a period of two months from the date of the occurrence, direct the holder of the permit to provide a substitute vehicle

and when the holder of the permit fails to comply with such a direction, may suspend, cancel or vary the permit accordingly

(4) The authority giving a direction, or suspending, cancelling or varying a permit under sub-rule (3) shall send intimation of this fact to the authority of any other region in which the permit is valid by virtue of counter signatures or otherwise.

Section 96 (2) (xxiv)

107. Information of failure to ply the vehicle.—(1) If the holder of a stage carriage permits at any time unable to ply his vehicle for any cause whatsoever in accordance with the time-table approved by the Regional Transport Authority, he shall forthwith send an intimation about the same to the Regional Transport Authority by which the permit was issued as well as the nearest Deputy Commissioner or the Sub-Divisional Officer (Civil).

(2) On receipt of a report under sub-rule (1), the Regional Transport Authority, Deputy Commissioner or Sub-Divisional Officer (c), as the case may be, may make such alternate arrangements as it or he may think fit.

Section 96 (2) (xxiv)

108. Inspection of Transport Vehicle and their contents.—(1) Any Police Officer in uniform not below the rank of a Sub-Inspector or Officer under the control of the Director authorised in this behalf by any, at any time when the vehicle is in a public place, call upon the driver or goods vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable the said officer to make reasonable examination of the contents of the vehicle.

(2) Notwithstanding the provisions of sub-rule (1), the officer referred to in sub-rule (1) shall not be entitled to examine the contents of any goods vehicle unless.

- (i) the permit in respect of the vehicle contains a provision or conditions in respect of the goods which may or which may not be carried on the vehicle ; and
- (ii) the officer has reasons to suppose that the vehicle is being used in contravention of the provisions of the Act or rules framed thereunder.

(3) Any police officer in uniform not below the rank of a Sub-Inspector or any officer of the Department of Excise & Taxation Sub-Inspector or any officer under the control of the Director authorised in this behalf by him, may at any time, when the vehicle is in a public place, call upon the driver of a public service vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable him to make reasonable examination of the number of passengers and the contents of the vehicle so as to satisfy himself that the provisions of the Act and rules framed thereunder and the provisions and conditions of the permit in respect of the vehicle are being complied with.

(4) Any officer appointed to be a member of the Board of Inspection shall be entitled at any reasonable time to inspect any public service vehicle in a public place.

Section 96 (2) (xxx)

109. Taxi Meter.—(1) Every meter-cab shall be fitted with a taxi meter of a pattern approved by the State Transport Authority and shall be in conformity with any instructions that may be issued by the State Transport Authority.

(2) A permit holder required to fit a taxi meter shall, at the time of production of his vehicle for inspection before the Board of Inspection, furnish a certificate issued by the Controller Weights and Measures, Himachal Pradesh, or any officer authorised by him in this behalf to the effect that the taxi meter has been tested and sealed and shall produce the taxi meter for

an examination subsequently whenever the vehicle to which it is attached is inspected or whenever for any reasons it has become necessary to break the seal.

Section 74 (2) (viii) and 96 (2) (xx)

110. Procedure for obtaining an Agents or Convasser's License under section 93.—(1) Any person desiring to obtain a license under section 93 to be made operative in one sub-division of district may make an application the Sub-divisional Officer (Civil) concerned in H.P. form XXXIX GAB-1.

Provided that if the license has to be made operative in more than one sub-division in a district, the application shall be made to the Regional Transport Authority and if the license has to be made operative in more than one region the application shall be made to the State Transport Authority in H.P. Form XL GBA-2.

(2) An application in terms of sub-rule (1) shall be accompanied by a cash receipt or a treasury challan showing a deposit of fee of thirty rupees.

(3) In considering an application for license made under sub-rule (1), the licensing authority shall have due regard amongst other things to the following matters, namely :—

(a) the number of goods vehicles either owned by the applicant or under his control ;

Explanation.—For the purpose of clause (1), a person shall be deemed to have under his control such number of goods vehicles as are covered by declaration in Form XLI GBA-3 obtained by him from the respective owners of goods vehicles ;

(b) the suitability of accommodation possessed by the applicant for the storage of goods at the operating place ;

(c) the facilities, if any provided by the applicant for the goods vehicles ; and

(d) the financial resources of the applicant and his ability to manage the business of collecting, forwarding or distributing goods carried by goods carriages efficiently.

(4) The licensing authority shall either grant the license to the applicant (hereinafter referred to as the license in this Chapter in Form XLII GBA or Form XLIII GBA-5 as the case may be specifying the place or places where the business may be carried on or refuse to grant :

Provided that the licensing authority shall not refuse to grant a license, unless the applicant is given an opportunity of being heard and the reasons for refusal are recorded and communicated to him in writing.

Section 93 and 96 (2) (xxix) and (xxxiii)

111. Security for compliance with the conditions.—(1) For ensuring compliance with the provisions of these rules and conditions of the license granted under rule 110, the licensing authority shall, at the time of granting a license require the applicant to furnish security of a sum of five thousand rupees :

Provided that whenever the licensing authority, after having stock of the quantum of the business to be transacted by the license, is of the opinion that the security of sum of five thousand rupees is inadequate, he may, for reasons to be recorded in writing, increase the amount of security, but security to be furnished in this rule shall not exceed fifty thousand rupees.

(2) If a licensee contravenes any of the provisions of these rules or any of the conditions under which the license is granted then without prejudice to any other action that may be taken

against him, the licensing authority may, by order, for reasons to be recorded in writing, forfeit the security in part or in whole :

Provided that no order shall be passed under this sub-rule unless the licensee has been given an opportunity of being heard :

Provided further that the licensee shall, if the amount of security at any time falls short of the amount specified in sub-rule (1), forthwith deposit further security to make up the amount of security.

(3) The security deposit, unless forfeited, shall be refunded to the person concerned at the expiry of the period of the license or earlier in the event of voluntary closing down of the business.

Section 93 (2) (c) and 96 (2) (xxix)

112. Period of validity and renewal.—(1) A license granted under sub-rule (4) of rule 110 shall be valid for a period of three years from the date of its grant and may be renewed at a time for a period of one year.

(2) An application for renewal under sub-rule (1) shall be made to the licensing authority, as the case may be, in H. P. Form XLIV GBA-6 not less than thirty days before the date of its expiry.

(3) The renewal of license shall be given an endorsement to that effect by the licensing authority on the license.

Section 93 and 96 (2) (xxix)

113. Fee for a license.—Fee for the grant or renewal of license under rule 110 or rule 112 shall be as follows :—

Rs.

(A) for the grant of principal license	500.00
(B) for the grant of supplementary license for each additional establishment or sub-agency.	100.00
(C) for renewal of a license if application is made in time :	
(i) Principal license	200.00
(ii) Supplementary license for each additional establishment or sub-agency.	100.00
(D) Penalty for renewal of a license if application is not made in time but is made before the expiry of license :—	
(i) Principal license :—	
(a) if application is made late by seven days	50.00
(b) if application is made late more than seven days but not more than fourteen days.	60.00
(c) if application is made late by more than fourteen days, but not more than twenty-one days.	80.00
(d) if the application is made late by more than twenty-one days, but not more than thirty days.	200.00

(ii) Supplementary License :

(d) if the application is made late by fifteen days	Rs. 20.00
(b) if the application is made late by more than fifteen but not more than thirty days.	30.00

Note.—In this rule, the expression “Principal License” means a license for the headquarters of a person engaged in the business of collecting, forwarding or distributing goods carried by goods carriages and “Supplementary License” means a license which is for a branch office.

114. *Conditions of a license.*—(1) A license issued or renewed under rules 110 and 112 shall be subject to the following conditions, namely:—

- (i) the licensee shall, subject to the provisions of rule 116, provide places for loading and unloading of goods ;
- (ii) the licensee shall be responsible for proper arrangement for storage of goods, collected for despatch and delivery;
- (iii) where the licensee is authorised to forward and distribute goods he shall, —
 - (a) be liable to the consignee for any loss or damage to goods while in his control or possession;
 - (b) be responsible for proper delivery of goods to the consignee;
 - (c) not issue a goods transport receipt without having actually received the goods,
 - (d) not deliver the goods to the consignee without actually receiving from the consignee a goods transport receipt and in case of loss or misplacement of the same, an indemnity bond covering the value of goods;
- (iv) the licensee shall insure the goods against any loss or damage while in his control or possession;
- (v) the licensee shall maintain a proper record of the vehicles under his control and of the collection, despatch and delivery of goods which shall be open to inspection by the licensing authority duly authorised in this behalf by such authority and shall furnish to the licensing authority a return in respect of previous six months in H. P. Form XLV-BA-T within thirty days after the 30th September and 31st March every year;
- (vi) the licensee shall furnish the persons operating the vehicles with correct figures of the freight to be received by them from the consignee or the consignees;
- (vii) the licensee shall maintain proper accounts of the commission charged by him and the licensee with gross income of Rs. 25,000 or above per annum shall get his account audited by the Chartered Accountants;
- (viii) the licensee shall maintain in good condition a weighing device capable of weighing, at a time, not less than 200 kilograms;
- (ix) the licensee shall attend to his customers in order in which they approach him:

Provided that the customers in respect of such perishable goods, as may be notified by the Government in the Official Gazette, shall be given priority over the other customers, but such customers shall be attended to in the order in which they approach the licensee;

- (x) the licensee shall assign the consignment amongst the persons operating the vehicles in the order in which they have approached him and shall maintain a register

- chronologically recording particulars of the available goods and the persons waiting to operate the vehicles;
- (xi) the licensee shall comply with the provisions of these rules and shall observe such conditions as the licensing authority may specify in the license;
 - (xii) the licensee shall make all contracts, in writing, containing the following particulars, namely :—
 - (a) name and address of the consignor or and the consignee;
 - (b) description and weight of the consignment;
 - (c) destination and its distance in kilometres from the starting station to the destination;
 - (d) freight per quintal per kilometre and for the whole truck per kilometre;
 - (e) delivery instructions, for example, the date by which and the exact place where the goods are to be delivered to the consignee;
 - (f) terms of agreement for payment; and
 - (g) name of the owner, driver, the registration number of the vehicle, its authorised load and amount of the commission;
 - (xiii) the licensee shall administer his approved premises in an orderly manner and shall keep it in a good and clean condition; and
 - (xiv) the licensee shall take all precaution to ensure that no breach of any of the provisions of the Act or rules made thereunder or the conditions of the license is committed.

(2) The licensing authority may, after giving notice of not less than one month, in writing to the licensee either vary any condition of his license or attach to his license any further conditions.

Section 96 (2) (xxix)

115. Rate of Commission.—The licensee shall not charge commission from the persons operating the vehicles exceeding those as may be notified by the Government from time to time keeping in view the expenses incurred by the licensee in maintaining the establishment, overhead charges and other relevant factors:

Provided that the commission will be exclusive of loading and unloading charges.

Section 93 and 96 (2) (xxix)

116. Premises to be used.—(1) The Regional Transport Authority may, in consultation with the local or the police authority having jurisdiction over the area concerned, approve any premises owned by or in possession of a licensee or any applicant for the license to be used for loading or unloading of goods or for parking goods vehicles for the storage of goods in the custody of the licensee having regard to the stability of site, sanitary conditions and storage facilities provided at such premises.

(2) Where the Regional Transport Authority refuses to approve any premises under sub-rule (1), it shall record, in writing, the reasons for such refusal :

Provided that before such refusal an opportunity of being heard shall be given to the licensee or the applicant, as the case may be.

Section 93 and 96 (2) (xxix)

117. Suspension or cancellation of license.—(1) Without prejudice to any other action which may be taken against a licensee under the Act, the licensing authority may, by order in

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writin cancel the license or suspend it for such period as it thinks fit, if in its opinion any of the conditions of the license has been contravened:

Provided that before making any order of suspension or cancellation under the rule, the licensing authority shall give the licensee an opportunity of being heard and shall record reasons, in writing, for such cancellation or suspension.

Sections 93 and 96 (2) (xxix)

118. *Issue of duplicate license.*—(1) If at any time a license is lost, destroyed or torn or otherwise defaced so as to be illegible, the licensee shall forthwith apply to the licensing authority for the grant of a duplicate license :

Provided that if the license is lost, the license holder shall lodge the FIR in the nearest Police station and shall enclose a copy of the same with the application for the issuance of a duplicate license.

(2) The application under sub-rule (1) shall be accompanied by cash receipt or a treasury challan of ten rupees and on receipt of such an application, the licensing authority, shall issue a duplicate license stamped "Duplicate" in red ink.

(3) If the duplicate license is granted under sub-rule (2) on a representation that the license originally granted has been lost or destroyed and the original license is subsequently found, it shall be surrendered to the authority concerned.

Section 93 and 96 (2) (xxix)

119. *Display of license.*—(1) A person who has obtained a license under rule 110 for collecting the goods shall carry with him, his license while on duty and shall produce it on demand for inspection by the secretary, Regional Transport Authority or the licensing authority.

(2) A person who has obtained a license under rule 110 for forwarding and distributing the goods shall exhibit his license at some conspicuous place in the approved premises and the license shall be made available for inspection by the secretary, Regional Transport Authority or the Licensing authority.

(3) A person who has obtained a license for collecting, forwarding and distributing goods shall carry with him his license while on duty and shall produce it on demand for inspection by the secretary, Regional Transport Authority or the Licensing authority and shall also cause a true copy of his license to be exhibited at a prominent place in the approved premises.

Section 93 and 96 (2) (xxix)

120. *Appeal.*—(1) Any person aggrieved by an order made under rules 110, 116 and 117 may within a period of thirty days from the date of the receipt of such order appeal —

(a) to the Secretary Transport of Himachal Pradesh Government, if the order is made by the State Transport Authority; and

(b) to the State Transport Authority, if the order is made by any other officer or authority.

(2) The memorandum of appeal shall be filed in duplicate setting forth concisely the grounds of objections and shall be accompanied by a certified copy of that order and a cash receipt or a treasury challan of twenty rupees.

Section 93 and 96 (2) (iii) and (xiii)

121. Levy of fees for supply of copies.—(1) The authority which passes an order to be repealed against under rule 120 shall, on an application by a person, give certified copy of the order or any other relevant documents on payment of fee of two rupees per page :

Provided that the aforesaid powers may also be delegated to the secretary of the Regional Transport Authority in the aforesaid manner who shall exercise these powers only in the case when the chairman is away from headquarters of the authority and a reference to him will involve an amount of delay which in the circumstances is unreasonable :

Provided further that the aforesaid powers may also be delegated to the Assistant Secretary of the Regional Transport Authority in the aforesaid manner who will exercise these powers only in the case when both Chairman and the Secretary are away from the headquarters of the authority and a reference to either of them will involve an amount of delay :

Provided further that any order passed by the Assistant Secretary in the capacity of delegated authority, the order so passed shall be got confirmed from the Secretary of the Regional Transport Authority concerned.

(2) A Regional Transport Authority may delegate, its powers of issuing a duplicate permit or parts or a permit, as the case may be, under these rules to its secretary or Assistant Secretary in the manner as specified in sub-rule (1).

Section 93 and 96 (2) (iii) and (xiii)

122. Delegation of powers of the State Transport Authority.—The State Transport Authority may, for the prompt and convenient despatch of its business by general or special resolution delegate—

(i) to its secretary —

all or any of the powers vested in it provided that no delegation shall be made in respect of the following namely:—

- (a) powers under clause (a) of sub-section (3) of section 68 of the Act, to co-ordinate and regulate the activities of the Regional Transport Authorities;
- (b) powers under clause (c) sub-section (3) of section 68 of the Act, to settle disputes of difference of opinion between the Regional Transport Authorities;
- (c) powers under sub-section (4) of section 68 of the Act, to issue directions to the Regional Transport Authorities;
- (d) powers under sections 71 and 72 of the Act to refuse stage carriage permits;
- (e) powers under sections 73 and 74 of the Act to refuse contract carriage permits;
- (f) powers under section 86 of the Act to cancel a permit; and

(ii) to its chairman all the powers that may be delegated to the secretary under clause 1 :

Provided that in cases where the chairman and the secretary have both been delegated with the same powers of the State Transport Authority, the Secretary shall exercise the powers only when the chairman is away from the headquarters of the authority and a reference to him will involve an amount of delay :

Provided further that where the Chairman and the Secretary have both been delegated with the same powers, order passed by the Secretary of delegated authority the order so passed shall be got confirmed from the Chairman of the State Transport Authority.

123. Delegation of powers by Regional Transport Authority.—Regional Transport Authority may, by general or special resolution recorded in its proceedings and subject to such conditions, as may be specified in the resolution, delegate—

- (a) the power of granting temporary permits under section 87 of the Act to the Chairman and its secretary; provided that the secretary does not exercise this power unless the Chairman is away from the headquarters of the authority and a reference to him will involve an amount of delay which is in the circumstances unreasonable; and provided further that this power may also be delegated to the Assistant Secretary who will not exercise it unless both the Chairman or the Secretary are away from the headquarters and a reference to either of them will involve an amount of delay which is in the circumstances unreasonable;
- (b) the power of granting countersignatures of permits under section 88 of the Act to the Secretary and the Assistant Secretary, who will not exercise it unless the Secretary is away from the headquarters and a reference to him will involve an amount of delay which is in the circumstances unreasonable;
- (c) the power of granting replacement of vehicles covered by permits under section 82 of the Act to the Secretary and in his absence from the headquarters to the Assistant Secretary;
- (d) the power of permitting the transfer of permit under section 82 of the Act from one person to another, to the Secretary; provided that this power is exercised by him only in such cases in which after full enquiry he is satisfied that the contents of the application are complete and correct and that no premium, payment or consideration is to pass or has passed between parties in lieu of the permit;
- (e) the power of issuing a duplicate permit or part or parts of permit as the case may be to the Secretary and in his absence from the headquarters to the Assistant Secretary; and
- (f) the powers of granting special permits under sub-section (B) of section 88 of the Act to a registering authority; provided that the registering authority who grants any special permit under the capacity of delegated authority shall intimate the details/particulars of such permits to the secretary at the close of each month.

Sections 68 (5) and 96 (2) (xxxiii)

Chapter-VI

SPECIAL PROVISIONS RELATING TO STATE TRANSPORT UNDERTAKINGS

124. Particulars and publication of the Scheme.—(1) The proposal of a scheme or modification of approved scheme to be prepared by the State Government under the provisions of section 99 or section 62 shall be in Form XLCVI S.S.Tu. containing all the particulars specified in the said form.

(2) The proposal regarding a Scheme shall be published in Form XLVI S. S. Tu in the official Gazette as well as in one newspaper in Hindi language having circulation in the area of route covered by the scheme and in a newspaper in the English language with sufficient circulation in the State of Himachal Pradesh for the general information of the public and for inviting objections as required under section 100.

Section 99 and 107 (2) (a)

125. Manner of filing objections.—The objections in terms of sub-section (1) of section 100 shall be filed through a communication addressed to the Secretary (Transport) to the Government of Himachal Pradesh with a copy to the State Transport Authority and the State Transport Undertaking under registered post within a period of thirty days as specified in the said sub-section (1).

Section 99 and 107

126. Manner of consideration and disposal of objections.—(1) The State Transport Undertaking concerned shall forward its comments with regard to the objections received under rule 125 to the State Transport Authority, as well as to the Secretary (Transport) to the Government of Himachal Pradesh, within fifteen days after the expiry of the last date fixed for the receipt of objections.

(2) The State Transport Authority shall consider the comments of the State Transport Undertaking received under sub-rule (1) and shall give its views thereon to the Secretary (Transport) to the Government of Himachal Pradesh, within a period of thirty days from receipt of comments of the State Transport Undertaking.

(3) On receipt of the views of the State Transport Authority, in terms of sub-rule (2), the Government shall consider and dispose of the objections after giving an opportunity of being heard in the matter to the objector or his representative (s) and the representatives of the State Transport Undertaking and it may either approve or modify the scheme.

Section 99 and 107

127. Publication of the scheme.—The approved or modified scheme as the case may be, under sub-rule (3) of rule 126 shall be published in H.P. Form XLVII ASSTU in the Official Gazette and also in a newspaper in Hindi language having circulation in the area or route covered by the scheme.

Sections 99 and 107

128. Application for grant of permit to State Transport Undertaking.—(1) For securing a stage carriage permit or a goods carriage permit or a contract carriage permit, in respect of a notified area or notified route in pursuance of an approved scheme, a State Transport Undertaking may make an application to the Regional Transport Authority concerned in the relevant form specified in rule 62 :

Provided that in case the notified area or route falls within the jurisdiction of more than one Regional Transport Authority, the application shall be made to the Regional Transport Authority in whose jurisdiction the major portion of the area or route lies and that Regional Transport Authority shall transmit the same to the State Transport Authority for consideration with its comments thereon.

(2) The fees payable in respect of the applications in terms of sub-rule (1) shall be as specified in rule 67 in respect of application for grant or renewal of permits.

(3) The fees for grant of permits under this rule shall be as specified in rules 68 or 69 as the case may be.

Sections 99 and 107

129. Manner of service of orders.—The orders of the State Transport Authority, or as the case may be, Regional Transport Authority concerned under sub-section (2) of section 103 shall be served under registered post or through a notice in a newspaper in Hindi language having circulation in the area covered by the scheme.

Sections 99 and 107

Chapter-VII

CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF MOTOR VEHICLES

130. General.—(1) No person shall use and no person shall cause or allow to be used or to be in any public place, any motor vehicle which does not comply with the rules made under this Chapter and the provisions contained in Chapter V of the Central Rules or with any order hereunder made by the State Transport Authority.

(2) Nothing in this rule shall apply to a motor vehicle which has been damaged in an accident while at the place of the accident or to a vehicle so damaged or otherwise defective while being removed to the nearest reasonable place of repair or disposal :

Provided that where a motor vehicle can no longer remain under the effective control of the person driving, the same shall not be used in any public place, except by towing.

Section 111

131. Rear View Mirror.—Every motor vehicle other than a road roller and other vehicles specially constructed or adapted for the construction or maintenance of road, shall be fitted either, internally or externally, with a mirror so placed as to enable the driver to be or become, aware of the presence, in the rear of any other vehicle the driver of which is desirous of passing such motor vehicles.

Section 111

132. Dangerous Projections.—(1) No mascot or other similar fitting or device shall be carried on any motor vehicle other than a road roller or other vehicles specially constructed or adapted for the construction or maintenance of roads registered in India in any position where it is likely to strike any person, with whom the vehicle may collide unless the mascot is unlikely to cause injury to any person by reason of any projection thereon.

(2) No motor vehicle shall be permitted to be used which is so constructed that any axle, hub or hub cap does not project laterally beyond the body or wings of the vehicle and is provided with an adequate guard.

Section 111

133. Wind Screen wiper.—An efficient automatic wind screen wiper shall be fitted to every motor vehicle which is so constructed that the driver cannot by opening the wind screen or otherwise obtain an adequate view to the front of the vehicle without looking through the windscreen.

Section 111

134. Springing.—Every motor vehicle and every trailer drawn thereby other than a road roller or other vehicles specially constructed or adopted for the construction or maintenance of roads shall be equipped with suitable and sufficient means of springing adequately maintained in good and sound condition between the road wheels and the frame of the vehicle.

Provided that this rule shall not apply to—

- (a) any tractor not exceeding 4,500 kilograms in weight unladen if all the unspring wheels of the tractor are fitted with pneumatic tyres ;
- (b) any land locomotive, land tractor, land implement, agricultural trailer or any trailer used solely for the haulage of felled trees ; and

- (c) vehicles designed for use in works or in private premises and used on a road only in passing from one part of the works or premises to another or to works or premises within a distance of four kilometres.

Section 111

135. Vehicles fitted with left hand steering control.—A motor vehicle fitted with left hand steering control shall exhibit the words "Left Hand Drive" at a conspicuous place on its rear on a plain plate or a plain surface of the vehicle in red colour on white background, each letter being not less than thirty five millimetres in height and of uniform thickness of thirteen millimetres.

Section 111

136. Wings.—(1) Every motor vehicle except a locomotive, tractor, trailer or a road roller or other vehicles especially constructed or adopted for construction or maintenance of roads shall, unless adequate protection is afforded by the body of the motor vehicle, be provided with wings or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of the wheels.

(2) The rear wheels of every trailer except a trailer drawn by locomotive shall be provided with wings as aforesaid.

Section 111

137. Side car wheel.—Every side car attached to a motor cycle shall be so attached at the left hand side of motor cycle that the wheel thereof is not wholly outside perpendicular planes at right angles to the longitudinal axis of the motor cycle passing through the extreme projecting points in front and in the rear of the motor cycle.

Section 111

138. Communication with driver.—(1) Every transport vehicle, whether for the use of passengers or goods in which the driver's seat is separated from the passengers or the goods compartment by a fixed partition, which is not capable of being readily opened, shall be furnished with efficient means to enable the passengers, conductor or the cleaner, in such compartment to signal the driver to stop the vehicle, provided that cleaner or a conductor in a goods vehicle shall be seated at the back to give signal to the driver when the former notices a faster vehicle approaching the one in which he is travelling.

(2) Sub-rule (1) shall not apply to:—

- (i) petrol tank lorries;
- (ii) the vehicle fitted with tanks on the entire chassis;
- (iii) the motor vehicles used by the local authorities for the carriage of refuse.

(3) Every goods carriage or tractor trailer combination shall be furnished with efficient means of communication to enable the cleaner or conductor to signal the driver to stop the vehicle or to caution to allow passage for faster moving vehicles. The connection of the communication bell shall be of adapter and socket type so that the communication bell could be connected and disconnected while coupling and decoupling the trailer.

Section 111

139. Restriction on painting.—(1) The motor vehicles shall be painted in such colour and in the manner approved by the State Transport Authority from time to time:

Provided that in Prescribing the colour and the manner in which the motor vehicles are to be painted, the State Transport Authority shall not prescribe the same colour or the manner, which

has already been prescribed, by the Central Government under rule 121 or sub-rule(ii) of rule 128 of the central rules or in pursuance of any other provisions contained in the Act or the rules framed thereunder.

(2) The motor vehicle belonging to an Educational Institution :—

- (i) shall be painted in light blue or sky blue colour with a 254mm. wide strip of dark blue paint going all around the body 178mm. below the windows.
- (ii) the crest of the institution shall be painted below the dark blue strip in white colour on both sides of the vehicle between the rear and the front wheels; and
- (iii) the name of the institution shall be written on the front side either above or below the wind screen according to the space available.

Section 111

140. Special marks to be exhibited on a stage carriage when it is used as a contract carriage.—

(1) No stage carriage or vehicle forming part of a service of stage carriage shall be used as a contract carriage unless a board is affixed on each side of the vehicle showing that it is for the time being in use as such and not as a stage carriage.

(2) The board required by sub-rule (1) shall exhibit the words 'ON CONTRACT' in red letters on a white ground, the letters being of a size not less than that specified for a numeral of a registration mark and shall be affixed in a prominent and unobscured position at or near roof level.

(3) The board required by sub-rule (1) shall be affixed before the commencement of any trip for which the vehicle is being used as a contract carriage and shall be kept affixed throughout whole of the trip and the boards or marks indicating the route or routes on which the vehicle is operated and at other times shall be removed or covered up throughout the trip.

Section 111

141. Special Requirements for public service vehicle.—(1) Every public service vehicle, and all parts thereof including paint-work or varnish, shall be maintained in a clean and sound condition and the engine mechanism and all working parts in reliable working order.

(2) Every public service vehicle shall carry a first-aid box with glazed front of dimensions suitable to accommodate the following article:—

- (i) leaflet containing first aid instructions;
- (ii) set of ordinary splints (consisting of six splints with four iron sockets);
- (iii) four triangular bandages;
- (iv) packet surgeons lint;
- (v) sterilised cotton wool two in number, of twenty five grammes packets;
- (vi) sterilised figures dressing twenty four in number;
- (vii) sterilised hand or foot dressing twelve in number;
- (viii) sterilised body dressing three in number;
- (ix) sterilised burn dressing:
 - (i) two in numbers of small size;
 - (ii) two in numbers of large size;
- (x) two eye pads;
- (xi) one card safety pins;

- (xii) one pair scissors;
- (xiii) one spool plaster twenty five millimetres
- (xiv) one medicine tumbler;
- (xv) antiseptic cream containing 0.5 percent of centrimide BP in non-greasy base;
- (xvi) one bottle spirit surgical;
- (xvii) four bottle sal Volatile;
- (xviii) four small tourniquet;
- (xix) empty bottle fitted with cork and camel hair brush for eye drops;
- (xx) one pad splinter forceps; and
- (xxi) Medicine glass of 75 CCs.

142. Measures of stability of vehicle.—(1) The stability of double decked public service vehicle shall be such that when loaded with weights of 59 kilogrammes per person placed in correct relative position to represent the driver and conductor, if carried and a full complement of passengers of the upper deck only if the surface on which the vehicle stands were tilted to either side to an angle of twenty-eight degrees from the horizontal, the point at which overturning occurs would not be reached.

(2) The stability of a single decked public service vehicle other than motor cab shall be such that under any conditions of load, at an allowance of 73 kilogrammes for every passenger for which the vehicle is registered, if the surface on which the vehicle stands were tilted to either side to an angle of thirty-five degrees from the horizontal the point at which overturning occurs would not be reached.

(3) For the purpose of conducting tests of stability the height of any stock used to prevent a wheel of the vehicle from slipping sideways shall not be greater than two thirds of the distance between the surface upon which the vehicle stands before it is tilted, and that part of the rim of that wheel which is then nearest to such surface when the wheel is loaded in accordance with the requirements of this rule.

Section 111

143. Seating space.—(1) In every public service vehicle other than a motor cab there shall be provided for each passenger a reasonably comfortable seating space of not less than 375 millimetres square in the case of an ordinary vehicle, 400 millimetres square in a semi-deluxe vehicles and 450 millimetres square in the case of a deluxe vehicle, the seats measured on straight lines along and at right angles and at right angles to the front of each seat and,

- (a) When the seats are placed along the vehicle, the backs of the seats on the side shall be at least 1.37 metres distant from the backs of the seats on the other side;
- (b) when the seats are placed across the vehicles and are facing in the same direction there shall be everywhere a clear space of not less than 66.5 centimetres between the backs of the seats;
- (c) when seats are placed across the vehicles and are facing each other there shall be every where a clear space of not less than 1.25 metres, between the backs of facing seats;
- (d) where seats are placed in such a manner that one row is along-wise the vehicle and the other rows of seats across the vehicle, the clear space between the front and of the longitudinal seats and the nearest part of the transverse seats shall not be less than 450 millimetres; and

- (e) minimum leg space shall not be less than 254 millimetres in the case of an ordinary vehicle 330 mm in a semi deluxe vehicle and 380 millimetres in the case of a deluxe vehicle :

Provided that for a deluxe vehicle, the following additional specifications shall also apply, namely:—

- (i) the seats and back rests will be well sprung;
- (ii) separate push back system seat for each passenger with head rest, arm rest and thigh rest shall be provided;
- (iii) the back of all seats shall be closed to a height of 700 millimetres above seat level ;
- (iv) separate cabin shall be provided for the crew :

Provided further that a semi deluxe bus shall be provided—

- (i) with seats having head rest, thigh rest and arm rest;
 - (ii) the seats and seat backs shall be well sprung;
 - (iii) separate doors shall be provided for entrance and exit;
 - (iv) the backs of all seats shall be closed to a height of 700 millimetres above seat level.
- (2) The back of all seats shall be closed to a height of 400 millimetres above seat level:
- (3) In all public service vehicles, all the seats shall face to the front:

Provided that in the case of a single decked vehicle the State Transport Authority may specify the measurements within the above limits to which public service vehicles or a particular type of public service vehicle, shall conform in specific areas or on hill roads:

Provided further that if the Government is satisfied that a particular vehicle or class of vehicles, having the internal height or head room measured along the centre of the vehicle, from the top of the floor boards or battens to the underside of the roof supports in excess of the height specified in this rule, is suitable for carrying out any work in furtherance of a public purpose, the Government may, by notification in the Official Gazette, exempt such vehicles or class of vehicles from the provisions of this rule either generally or in such areas or on such routes subject to such conditions, as may be specified in the notification.

Section 111

144. Driver's seat.—(1) No public service vehicle shall be driven otherwise than from the right hand side of the vehicle.

(2) On every public service vehicle space shall be reserved for the driver's seat such as to allow him to exercise full and unimpended control of the vehicle, and in particular—

- (a) the part of the seat against which the driver's back rests shall not be less than 280 millimetres from the nearest point on the steering wheel and that the seat shall be so constructed as to be adjustable in such a way that the distance is increased 350 millimetres, the driver's seats shall be constructed as to permit an up and down adjustment in addition to the fore and after adjustments mentioned therein;
- (b) the width across the vehicle shall not be less than 680 millimetres and shall extend to the left of the centre of the steering column, in no case less than 250 millimetres

and so that a line drawn parallel to the axis of the vehicle through the centre of any gear lever brake lever, or other device to which the driver has to have frequent access, lies not less than 50 millimetres inside the width reserved for the driver's seat; and

- (c) in the case of a public service vehicle other than a motor cab, the space reserved in accordance with clause (b) shall be at the left hand and be enclosed with a rigid wooden or other suitable partition to a height not less than 300 millimetres above the seat and continued forward of the seat at an adequate height above the floor of the vehicle;
- (d) in the case of a public service vehicle other than a motor cab, the space reserved in accordance with clause (b) shall be at the left hand and be enclosed with a rigid wooden or other suitable partition to a height not less than 300 millimetres above the seat and continued forward of the seat at an adequate height above the floor of the vehicle.

(3) No public service vehicle shall be so constructed that any person may sit or any luggage may be carried on the right hand side of the driver.

(4) Every public service vehicle shall be so constructed that save for the front pillar of the body, the driver shall have a clear vision both to the front and through an angle of ninety degrees to his right hand side. The front pillar of the body shall be so constructed as to obstruct the vision of the driver to the least possible extent.

(5) The State Transport Authority, may by order, in writing, direct that until such time as the vehicles have been taken off the road after having lived their lives, nothing in this rule in regard to and consequent upon the provisions requiring that the vehicle shall be driven from the right hand side shall apply to a public service vehicle or a specified class of public service vehicle fitted with left hand steering control and obtained through the Disposal Organisation of the Central Government.

(6) Where a registering authority registers a public service vehicle in respect of which, or belonging to a class in respect of which an order under sub-rule (5) has been made, it shall note in the certificate of registration the fact that nothing in this rule in regard to and consequent upon the provision requiring that the vehicle shall be driven from the right hand side shall apply to the vehicle.

Section 111

145. Gangway.—(1) In every public service vehicle, the entrance to which is from the front or the rear there shall be a gangway along the vehicle and,—

- (a) where seats are placed along the sides of the vehicle there shall be as gangway a clear space of not less than 60 centimetres measured between fronts of the seats; and
- (b) where seats are placed across the vehicle there shall be as gangway a clear space of not less than 300 millimetres up to a height of 760 millimetres and not less than 380 millimetres above 760 millimetres from the floor level and where standing passengers are allowed there shall be as gangway, a clear space of not less than 500 millimetres in width up to a height of 760 millimetres from the floor level.

(2) Where the vehicle has seats across the full width of the body with separate doors to each seat, a gangway from front to rear of the vehicle shall not be required.

Section 111

146. Limit of seating capacity.—(1) Notwithstanding anything contained in these rules, no public service vehicle other than a motor cab, shall be registered for a number of passengers on excess of the number obtained by subtracting 118 kilogrammes from the difference in kilogrammes between the registered laden and unladen weight of the vehicle and dividing the resulting figures by 160 in the case of a single decked vehicle and 130 in the case of a doubled decked vehicle or for such number of passengers that when the vehicle is loaded in normal manner the axle weight of any axle will not exceed the registered axle weight for that axle.

(2) In addition to the number of persons permitted to be carried in a public service vehicle.—

- (i) a child of not more than twelve years of age shall be reckoned as a half; and
- (ii) a child of not more than three years of age shall not be reckoned.

Section 111

147. Head Room.—Every public service vehicle other than a motor cab shall have the following internal height or head room measured along the centre of the vehicle from the top of the floor boards or battens to the underside of the roof supports,—

- (a) in case of a single decked vehicle with a permanent top not less than 1.4 metres and not more than 2 metres;
- (b) in the case of a single decked vehicle with a movable hood not less than 1.4 metres;
- (c) in the case of a double decked vehicle such measurement as the Government may determine in each particular case :

Provided that in the case of a single decked vehicle the State Transport Authority may specify the measurement within the above limits to which public service vehicles shall conform in specific or on hill roads.

Section 111

148. Width of Doors.—(1) Every entrance and exit of a public service vehicle other than a motor cab shall be atleast 530 millimetres in width and of sufficient height.

(2) Every entrance and exit door shall be capable of being opened outwards by one operation of the locking mechanism.

(3) Door handles or levers to door catches shall be so designed and fitted that they are not liable to be dislodged or to be operated accidentally.

(4) All doors shall be so designed as to be readily opened in case of need from inside and outside of the public service vehicle.

(5) Every public service vehicle shall have an emergency exit separate from the entrance door.

(6) All emergency exit shall,—

- (i) be clearly marked 'EMERGENCY EXIT' in bold letters on the inside;
- (ii) be fitted with doors to open outwards;
- (iii) be so designed as to be opened from inside and the outside of the vehicle;
- (iv) be equipped with a fastening device which can be quickly released but so designed as to offer protection against accidental release;

- (v) be easily accessible to persons of normal height standing on the ground outside the vehicle;
- (vi) be easily accessible to the passengers;
- (vii) be such that no seat or other object placed in the vehicle will restrict the passage to the emergency door;
- (viii) be located either at the back or on the right hand side of the vehicle; and
- (ix) have no step leading to it.

(7) In the public service vehicle other than the deluxe buses being plied on long routes shall provided with different opening for entrance and exit in addition to the emergency and driver's exit.

(8) There shall be unobstructed accessibility from every seat to atleast one exit :

Provided that this rule shall not apply to any seat alongwith the driver if there is access to such seat by an entrance other than the driver entrance; and

(5) There shall be direct access to the driver's seat either from off side of the vehicle or by means of a passage, which shall be smaller in dimensions than the one specified from the gangway.

Section 111

149. Grab rail.—In a public service vehicle other than a motor cab there shall be fitted to every entrance or exit, except an emergency exit, a grab rail to assist passengers in boarding or alighting from the vehicle.

Section 111

150. Steps.—(1) In every public service vehicle other than a motor cab, the top of the tread of the lowest step for any entrance or exit, other than an emergency exit, shall not be more than 500 millimetres or less than 425 millimetres above the ground when vehicle is empty. Fixed steps shall not be less than 225 millimetres wide and shall in no case project laterally beyond the body of the vehicle unless they are so protected by the front wings or otherwise that they are not liable to injure pedestrians. The shortest distance between any step well and a vertical plane passing throughout the front edge of a seat shall not be less than 225 millimetres.

(2) In case of a double decked vehicle,—

- (a) the risers of all steps leading from the lower to the upper deck shall be closed and no unguarded aperture shall be left at the top landing board;
- (b) all steps leading from the lower to upper deck shall be fitted with non-slip treads;
- (c) the horizontal distance from the nearest point of the riser of the top step to the vertical line passing through the nearest point of the seat opposite to the top tread of the staircase excluding any grab rail which does not project more than 75 millimetres from the back of the seat, shall not be less than 660 millimetres; and
- (d) the outer stringer of an outside staircase shall be so constructed or a band shall be so placed, as to act as a screen to persons ascending or descending and the height of the outer guard rail shall not be less than one metre above the front of the tread of each step.

Section 111

151. Cushions.—Where the seats of public service vehicle are provided with fixed or movable cushions, the cushions shall be covered with the leather cloth of good quality or other material of such a kind that they are capable of being kept in a clean and sanitary condition.

Section 111

152. Body dimension and guard rails.—(1) Every public service vehicle other than a motor cab, shall be so constructed that :—

(a) in the case of single decked vehicle with an enclosed body,—

(i) the height of the body sides from the floor or the sills of the windows, as the case may be, shall not be less than 710 millimetres; and

(ii) if the height of the sides of the body or the sills of the windows, as the case may be, above the highest part of any seats is less than 450 millimetres provisions be made by means of guard rails or otherwise to prevent the arms of seated passengers being thrust through and being injured by passing vehicles or the extent to which the side windows or venetians can be lowered in such a way that when lowered their top edge is not less than 450 millimetres above the highest part of any seat.

(b) In the case of a double-decked vehicle with an uncovered top deck and the top deck shall be provided with the side and end rails the top of which shall be at least one metre above the highest part of any seat and the top of the front and back rails shall be at least one metre above the deck boards or batten and shall follow the chamber of the deck.

(2) For the purpose of this rule, seat-back shall not be deemed to be part of the seat.

Section 111

153. Protection of passengers either from weather.—(1) Every public service vehicle other than a double decked vehicle shall be either constructed with fixed and watertight roof or equipped with a watertight hood that may be raised or lowered as required.

(2) Save in the case of uncovered top deck of a double-decked vehicle every public service vehicle shall have suitable windows, venetians or screen capable at all times of protecting the passengers from the weather without preventing adequate ventilation of the vehicle when the screens are made of fabric, the whole of them shall at all times be fastened securely to the vehicle.

(3) Where glass windows or venetians are used, they must be provided with effective means to prevent their rattling.

(4) There shall be adequate ventilation for both passengers and the drivers without the necessity for opening any main window or wind screen.

Section 111

154. Prohibition on the fitting of mirrors.—No mirror or glass-covered pictures shall be fitted inside or outside the body of any public service vehicle; provided that nothing shall prohibit the fitting of any mirror which may be necessary to enable the driver to obtain a view of the road in the rear of the vehicle or a view of interior of the vehicle.

Section 111

155. Lighting.—Every public service vehicle shall be furnished with electric lights adequate to give reasonable illumination throughout the vehicle but such power or so screened as not to impair the forward vision of the driver.

Section 111

156. Body Constrction.—The body and body layout of public service vehicle shall be so constructed and so fastened to the frame of the vehicle as to comply with such directions as may be issued by the State Transport Authority from time to time.

Section 111

157. Fuel tanks.—(1) No fuel tank shall be placed in any public service vehicle under any part of any gangway which is within 60 millimetres of any entrance or exit of a single decked vehicle or the lower deck or double decked vehicle.

(2) The fuel tank of every public service shall be so placed that no overflow there from shall fall upon any wood work or accumulate where it can be readily ignited. The filling points of all fuel tanks shall be outside the body of the vehicle and the filler caps shall be so designed and constructed that they can be securely fixed in position.

Section 111

158. Electric Wires.—All electric wires or loads shall be adequately insulated.

Section 111

159. Fire extinguishers.—Every public service vehicle shall be equipped with a fire extinguisher of a type specified by the State Transport Authority and it may be inspected at such periods and by such persons as the State Transport Authority may specify.

Section 111

160. Water proof Canvas.—Every public service vehicle shall be equipped with water-proof canvas for safeguarding luggage belonging to the passengers and carried on the roof of the vehicle.

Section 111

161. Locking of Nuts.—All moving parts of every public vehicle and all parts subject to service vibration connected by bolts or studs and nuts shall be fastened by lock nuts washers or by castellated nuts and split pins or by some other efficient device so as to prevent them working loose.

Section 111

162. Exhibition of Starting and Destination Stations.—The owner of a public service vehicle other than a taxi cab shall exhibit a board in the manner illustrated in the Second Schedule to these rules above the driver's seat on the front of the vehicle indicating the starting point and the terminus of the route for which he holds permit. The board shall cover the whole width of the vehicle. The letters of the words indicating the starting point and the terminus shall be in black on a white ground and shall each be not less than 100 millimetres height and twenty millimetres thick at any part. In the case of the public service vehicles which ply on inter-state routes the words shall be in English and in all other cases in Hindi in Devnagri script.

The owner of the public service vehicle other than a taxi cab shall exhibit on a black strip, divided into two parts, one showing the trip number and other showing the approved departure time written in white chalk in arabic figures below the board specified in sub-rule (1).

Section 111

163. Floor Boards.—(1) The floor boards of every public service shall be strong and so closely fitted or so covered with a suitable material as to exclude as far as possible draughts and dust.

- (2) The floor boards may be pierced for the purpose of drainage but for no other purpose.

Section 111

164. Spare Wheel and Tools.—(1) Save as otherwise specified by the Regional Transport Authority in respect of the public vehicles being exclusively plying in the urban areas, every public service vehicle shall at all times be equipped with not less than one spare wheel or rim fitted with a pneumatic tyre in good and sound condition readily inflated and mounted in such a way that it can be readily dismantled and fitted to the vehicle in the place of any one of the road wheels :

Provided that it shall not be necessary to have a second spare wheel during the completion of any journey which the spare wheel has been used.

(2) Every public service vehicle shall at all times be furnished with an efficient jack and other tools necessary to change a wheel or rim and tyre and with the equipment necessary to repair a puncture, including the following, namely :—

- (i) Spanners to fit every nut on the vehicle;
- (ii) One screw driver;
- (iii) One pair pliers;
- (iv) One hammer;
- (v) Two tyre levers;
- (vi) Tyre repair outfit;
- (vii) Tyre pump;
- (viii) Wheel jack;
- (ix) One spare headlight bulb and one spare rear lamp bulb; and
- (x) A supply of spare fuses.

(3) Every transport vehicle other than a motor cab shall be furnished with suitably fashioned block attached by chain to the vehicle to be used as check when the vehicle is halted on a slope.

Section 111

165. Advertisements and other Marking on Public Service Vehicle.—(1) No advertising device, figure or writing shall be exhibited on any public service vehicle save as may be permitted by the State Transport Authority by general or specific order.

(2) A public service vehicle, when regularly used for carrying Government mail by or under a contract with the Indian Posts and Telegraphs Department shall exhibit in a conspicuous place upon a plate or a plane surface of the vehicle the words 'MAIL' in red on the white ground, each letter being not less than 100 millimetres in height and of a uniform thickness of 20 millimetres.

(3) Save as aforesaid, no motor vehicle shall display any sign or inscription which includes the words 'MAIL'.

Section 111

166. Body and Loading Platform of Goods Carriage.—(1) The body of every goods carriage including a trailer shall be so fastened to the frame of the vehicle and so constructed as to comply with such directions as may be issued by the State Transport Authority from time to time. The vehicle shall be capable of carrying the load for which it is used without danger or inconvenience to other road users so that the load can be securely packed within the body or platform.

(2) Every goods carriage with a trailer and tractor-trailer combination shall be fitted with an electric device so as to cause an alarm by working of a buzzer in the driver's cabin on account of failure of the towing mechanism and discoupling of the trailer.

Section 111

167. Driver's Seat of Goods Carriages.—(1) The provisions of rule 144 shall apply to every goods carriage in so far as the seat of driver is concerned.

Section 111.

168. Requirements for Auto Rickshaw and Tractor/Tractors.—(1) Every Auto-Rickshaw shall:—

- (i) have body either of a station wagon or a box type or hackney carriage type as approved by the State Transport Authority soundly constructed to the satisfaction of the registering authority and shall be securely fastened to the frame of the vehicle and there shall be adequate arrangements for protection of passengers from sun, wind and rain;
- (ii) have the roof so constructed as to provide protection for passengers from sun and rain and shall be either of metal sheeting or canvas or some other suitable material;
- (iii) have road clearance not more than 225 millimetres and not less than 150 millimetres;
- (iv) have floor board not more than 550 millimetres above the surface on which the auto-rickshaw stand;
- (v) have the driver's seat at least 100 millimeters of clearance from the front panel of the body and a wind screen shall be provided for the driver;
- (vi) be provided at least 275 millimeters leg space in the case of an auto-rickshaw having seating capacity for four passengers and at least 375 millimeters leg space in the case of an auto-rickshaw having seating capacity for two passengers;
- (vii) be provided with taxi meter approved by the Bureau of India Standards;
- (viii) be fitted with a bulb horn in addition to electric horn; and
- (ix) be fitted with a rear view mirror mounted at a suitable place to give a clear unobstructed view of the rear to the driver;

Providing that in case of an auto-rickshaw having seating capacity for four passengers the entrance to which is from the front or rear and the seats are placed across the auto-rickshaw there shall be gangway of not less than 300 millimetres.

(2) Subject to the provisions contained in Chapter-V of Central Rules, in so far as these relate to tractor-trailer combination and overall dimensions specified for trailers under the said chapter.

The trailers, to be attached with tractors for the carriage of goods including trailers attached to tractors for use of agriculture produce, shall,—

- (i) have provision of tail light, stop-light, side indicator, front and rear parking lights;
- (ii) have parking brakes of adequate capacity for parking the unhitched trailer with maximum weight at minimum gradient of 10 %;
- (iii) have adequate provision of suspension system and shall have over run brakes which are equated at the hitch combination when tractor brakes are applied;
- (iv) have its loaded height not exceeding the height of centre of the steering wheel of tractor; and
- (v) have its width not more than that of the tractor.

the tractors with which trailer is to be attached shall,—

- (i) be fitted with a rear view mirror so that driver of the tractor could have rear view of the road;
- (ii) have self-locking and spring loaded swivel type. Hook the line of the pull of tractor trolley combination shall be horizontal and its hook shall be of heavy duty forged steel;
- (iii) be fitted with engine having—
 - (a) 35 horse power where pay load does not exceeds 1000 kilograms;
 - (b) more than 35 horse power where pay load exceeds 1000 kilograms but does not exceed 2000 kilograms.

Section 111

169. Use of flag.—No motor vehicle other than vehicles used by dignitaries or officers authorised by the Central Government or Government of Himachal Pradesh to use distinctive flags shall display such flag rods.

Section 111

170. Use of red lights.—No motor vehicle, other than the motor-cars attached with the dignitaries allowed to fly on their motor-cars distinctive flags according to the Flag Code of India and the officers allowed to use distinctive flags by the Government of Himachal Pradesh shall flow the red light to the front or other than a red light to the rear :

Provided that this provision shall not apply to internal lighting of the vehicle or to an amber light displayed by any direction indicator :

Provided further that the motor-cars attached with the officers who have been authorised to check vehicles on road shall be fitted with flickering red lights.

Chapter VIII

CONTROL OF TRAFFIC

171. Use of weighing device.—(1) No weighing device shall be used for the purposes of section 114, unless it is tested not less than once in every six calendar months by an officer appointed by the Chairman of the State Transport Authority, in consultation with the Controller Weights and Measures, Himachal Pradesh.

(2) No weighing device shall be installed without the approval of the State Transport Authority.

(3) The State Transport Authority while giving approval for the installation of weighing device in terms of sub-rule (2) shall have regard to the following matters, namely :—

- (a) the interests of the public generally and the efficient functioning of the weighing device;
- (b) the suitability of site for installation from the point of view of traffic control;
- (c) the evidence of annoyance to persons living or having property in the locality;
- (d) the suitability of the site of installation in relation to other existing weighing devices in the same area;

(e) any other consideration that may appear to be relevant.

Section 138 (2) (f)

172. Restriction on driving with gear disengaged.—On any hill marked by traffic sign No. 10 in part A of the Schedule to the Act, no person shall drive a motor vehicle with the clutch pedal/depressed or with any free wheel or other device in operation which frees the engine from the driving wheels and prevents the engine from acting as a brake when the vehicle is travelling down an incline.

Section 138 (2) (g)

173. Prohibition of mounting or taking hold of vehicles in motion.—(1) No person shall mount or attempt to mount on or dismount from any motor vehicle when the motor vehicle is in motion.

(2) No person shall take hold of and no driver of a motor vehicle shall cause or allow any person to take hold of any motor vehicle when in motion for the purpose of being towed or drawn upon some other wheeled vehicle or otherwise.

Section 138 (2) (h)

174. Towing.—(1) No vehicle other than a mechanically disabled or incompletely assembled motor vehicle or a registered trailer shall be drawn or towed by any motor vehicle.

(2) No motor vehicle other than a registered trailer shall be drawn or towed by any other motor vehicle unless there is in the driver's seat of the motor vehicle being drawn or towed a person holding a license authorising him to drive that type of vehicle or unless the steering wheels of the motor vehicle being towed are firmly and securely supported clear of the road surface by some crane or other device on the vehicle which is drawing or towing it.

(3) When a motor vehicle is being towed by another motor vehicle, the clear distance between the rear of the front vehicle and the front of the rear vehicle shall at no time exceed 4.6 metre. Steps shall be taken to render the tow rope or chain easily distinguishable by other users of the road and there shall be clearly displayed on the rear of the vehicle being towed in black letters not less than 75 millimetres high and on a white ground the words "ON TOW".

Provided that no person shall be liable to be convicted for contravention of this sub-rule for failure to display the words "ON TOW" if the motor vehicle which is towing to other is not a motor vehicle adapted and ordinarily used for the purpose and so long as the vehicle is being towed between the place of the break down and the nearest place on the route at which the necessary materials can be obtained.

(4) No motor vehicle when towing another vehicle other than a trailer or side car shall be driven at a speed exceeding twenty-five kilometres per hour.

Section 138 (2) (h)

175. Traffic aggregation.—Where any road or street is provided with foot paths, or tracks reserved for cycles or specified classes of other traffic, no person shall, save with the sanction of a police officer in uniform, drive any motor vehicle or cause or allow any motor vehicle to be driven on any such foot path or track.

Section 138 (2) (i)

176. Projection of loads.—(1) Nothing shall be placed or carried upon the outside of the roof of a double-decked public service vehicle.

(2) No person shall drive and no person shall cause or allow to be driven in any public place any motor vehicle which is loaded in a manner likely to cause danger or injury to any person or in such a manner that the load or any part thereof or anything extends :

- (a) laterally beyond the side of the body or beyond a vertical plain in prolongation of the side of the body;
- (b) to the front beyond the foremost part of the vehicle;
- (c) to the rear to a distance exceeding 1.2 metres beyond the rear most part of the vehicle excluding luggage carrier; and
- (d) in height by a distance which exceeds 40 metres from the surface upon the motor vehicle rests.

(3) The provisions of clause (C) of sub-rule (2) shall not apply to goods carriage when loaded with any pole or other projecting things so long as :

- (a) the projecting load falls within the limits of the body of a trailer being drawn by the goods carriage; or
- (b) the distance by which the pole or other thing projects beyond the rear most point of the motor vehicle does not exceed 1.8 metres; and
- (c) there is attached to the rear of such pole or other thing in such a way as to be clearly visible from the rear at all times a white circular disc of not less than 375 millimetres in diameter and at night a lamp in addition to the specified lamps on the vehicle so arranged as to show a red light to the rear.

(4) A Regional Transport Authority or its officer if so authorised by it may, by an order in writing, in emergent cases, exempt any motor vehicle for such period and subject to such conditions as may be specified, from any or all the provisions of this rule.

Section 138 (2) (i)

177. Carriage of dangerous substances.—(1) Except for the fuel and lubricants necessary for the use of the vehicle, the carriage of goods of dangerous and hazardous nature to human life, highly inflammable or otherwise dangerous substance shall not be carried on any vehicle, unless it is so packed or the body has been so fabricated as approved by the Controller of Explosives, Government of India or by an officer authorised by him in this behalf that even in the case of an accident to the vehicle it is unlikely to cause damage or injury to the vehicle or persons carried thereon or to any public property.

(2) If in the opinion of an officer authorised by the Director, any vehicle is at any time loaded in contravention of sub-rule (1), he may order the driver or other person in charge of the motor vehicle to remove or repack the carriage of goods of dangerous or hazardous nature to human life as may be specified by the Department of Science and Technology, Government of Himachal Pradesh otherwise the vehicle or goods shall be liable to be impounded by the officer so authorised with the help of police authorities of the area.

Section 111 (2) (b) and 138 (2)(i)

178. Sound signals.—(1) No driver of a motor vehicle shall sound the horn or other device for giving audible warning with which the motor vehicle is equipped or shall cause or allow any other person to do so continuously or to an extent beyond what is necessary to ensure safety

(2) The District Magistrate may, by notification published in the Official Gazette or in one or more newspapers in circulation in the area and by the erection in suitably placed traffic

sign No.7 as set forth in part A of the Schedule to the Act, prohibit the use by drivers of motor vehicles of any horn, gong or other device for giving audible warning in any area during such hours as may be specified by him in the notification:

Provided that when the District Magistrate prohibits the use of any horn or other device for giving audible warning during certain specified hours he shall cause a suitable notice, in English and Hindi Languages to be affixed below the traffic sign setting forth the hours within which such use is prohibited.

Section 138 (2) (i)

179. Cut-outs.—No driver of motor vehicle shall in any public place make use of any cut-outs or any other device by means of which the exhaust gases of the engine are released save through the silencer.

Section 138 (2) (i)

180. Restriction on travelling backwards.—No driver of a motor vehicle shall cause the vehicle to travel backward without first satisfying himself that he will not thereby cause danger or undue inconvenience to any person, or in any circumstances, save in the case of a road roller for any greater distance or period of time which may be reasonably necessary in order to turn the vehicle round.

Section 138 (2) (i)

181. Use of lamps when a vehicle is at rest.—(1) If within the limit of an urban area a motor vehicle is at rest within the hours during which lights are required, at the left hand side of any road or street or elsewhere in any duly appointed parking place it shall not be necessary for the motor vehicle to exhibit any light save as may be required generally or specified by the District Magistrate.

(2) Outside the limits of an urban area, if a motor vehicle is at rest within the hours during which lights are required in such a position as not to cause danger or undue inconvenience to other users of the road, it shall not be necessary for the motor vehicle to display any lights.

Section 138 (2) (i)

182. Dazzling lights.—(1) The driver of a motor vehicle shall at all times when the lights of the motor vehicle are in use so manipulate them that danger or undue inconvenience is not caused to any person by dazzle.

(2) The District Magistrate may, by notification in the Official Gazette and Hindi Languages within such areas or in such places as may be specified in the notification, prohibit the use of lamps giving a powerful or intense light.

Section 138 (2) (i)

183. Visibility of lamps and registration marks.—(1) No load or other things shall be placed on any motor vehicle so as at any time to mark or otherwise interrupt vision of any lamp registration mark or other mark required to be carried by exhibited on any motor vehicle by or under the provisions of the Act, unless a duplicate of the lamp or mark so marked or otherwise obscured is exhibited in the manner required by or under the Act for the exhibition of the marked or obscured lamp or mark.

(2) All registration and other marks required to be exhibited on a motor vehicle by or under the provisions of the Act shall at all times be maintained as far as may be reasonably possible in a clear and legible condition.

Section 115 and 138 (2) (h)

184. Stop sign on road surface.—(1) When any line is painted on or inland into the surface of any road at the approach to a road junctions or to a pedestrian crossing or otherwise, no driver shall drive a motor vehicle so that any part thereof projects beyond that line at any time when a signal to stop is being given by a police officer or by means of traffic control lights or by the temporary display of sign No. 3 of the Schedule to the Act.

(2) A line for the purpose of this rule shall not be less than 50 millimetres in the width at any part and shall be either in white or yellow colour.

Section 112, 115 and 138 (2) (i)

185. Special provisions on hill roads.—On all hill roads all drivers shall observe the following special rules namely :—

- (a) no motor vehicle shall overtake another, except at a place where the whole road is clearly visible for at least 180 metres ahead;
- (b) when two motor vehicles approach each other in opposite directions at a point where they cannot meet without danger of collusion, the vehicle proceeding down hill shall give way to the vehicle proceeding uphill and when such a meeting takes place in a dip on a level stretch of road, the vehicle on the inside of the road, that is, the side from which the hill side slopes upwards, shall give way;
- (c) the driver while taking turn on every bend and curve shall give horn, provided that it shall not be necessary to give a horn at a bend or curve near a hospital if an indication for not giving a horn has been put at that bend or curve;
- (d) the driver shall not drive a public service vehicle on any hill road, unless his license has been endorsed "for driving on hill roads" by the Registering authority.

Explanation.—For the process of this rule, the expression "Hill Road" shall mean all roads in the State except these roads which may be declared by the Government by a notification in the Official Gazette as 'plain roads'.

Section 138 (2) (i). 186

186. Trailors prohibited with motor cycles.—(1) A motor cycle with not more than two wheels with or without a side car shall not draw a trailer.

(2) No motor vehicle shall draw trailer exceeding 227 kilogram in weight unladen or 1.5 metres in overall width except with permission of the State Transport Authority.

Section 138 (2) (i)

187. Prohibition of attachment of trailer to certain vehicle.—No motor vehicle which exceeds 9.14 metres in length shall draw a trailer.

Section 138 (2) (i)

188. Attendants on trailer.—(1) When a trailer is or trailers are being drawn by a motor vehicle there shall be carried in the trailer or trailers or on the drawing motor vehicle, as the case may be, the following persons, not being less than eighteen years of age and competent to discharge their duties that is to say :—

- (a) If the brakes of the trailer or trailers cannot be operated by the driver of the drawing motor vehicle or by some other person carried on that vehicle:—

(i) one person on every trailer competent to apply the brakes; and

(ii) one person placed at or near the rear of the last trailer in train in such a position as to be able to have a clear view of the road in rear of the trailer to signal to the driver of overtaking vehicles and to communicate with the driver of the drawing motor vehicle.

(b) If the brakes of the trailer can be operated by the driver of the drawing motor vehicle or by some other person carried on that vehicle, such other person in addition to the driver shall be carried on their vehicle and one person on the last trailer in the train in accordance with the provisions of sub-clause (ii) of clause (a).

(c) If the trailer is or trailers are being drawn by a locomotive, notwithstanding that the brakes of the trailer or some other person on the locomotive, not less than one person on each trailer and not less than two persons on the last trailer in train, one of whom shall be the person required by the provisions of sub-clause (ii) of clause (a).

(2) This rule shall not apply :—

(a) to any trailer having not more than two wheels and not exceeding 771 kilograms in weight laden when used singly and not in a train with other trailers;

(b) to the trailing half of an articulated vehicle;

(c) to any trailer used solely for carrying water for the purposes of the drawing vehicle when used singly and not in a train with other trailers;

(d) to any agricultural or road-making or road repairing or road clearing implement drawn by a motor vehicle; or

(e) to any trailer specially constructed or adopted for any purposes upon which an attendant cannot safely be carried; or

(f) to any close trailer specially constructed for any purpose and specifically exempted from any or all of the provisions of this rule by an order, in writing, made by the registering authority to the extent so exempted.

Section 65 (2) (g) and 138 (2) (i)

189. Distinguishing mark for trailers.—(1) No person shall drive or offer or cause to be driven in any public place any motor vehicle to which a trailer is or trailers are attached unless there is exhibited on the back of the trailer or of the last trailer in train, as the case may be, a distinguishing mark in the form set out in the diagram contained in the Third Schedule to the rules in white colour on a black ground.

(2) The mark shall be kept clear and unobscured and shall be so fixed to the trailer that :—

(a) the letter on the mark is vertical and easily distinguishable from the rear of the trailer;

(b) the mark is either on the centre or to the right hand side of the back of the trailer; and

(c) no part thereof is at a height exceeding 1.2 metres from the ground.

(3) This rule shall not apply to the cases referred to in clauses (a), (b), (c), (d) and (e) of sub-rule (2) of rule 188.

Section 138 (2) (i)

190. Use of trailers.—(1) No trailer other than the trailing half of an articulated vehicle shall be attached to a public service vehicle.

(2) Save in the case of a trailer being used for the carriage of troops of the police or in the case of a tractor trailer used for agricultural purposes and carrying not more than six persons including the attendant, no person other than the attendant or attendants as required by rule 188 shall be carried on a trailer.

Section 131 and 138 (2) (i)

191. Crossing around Railway level crossing.—On the approach of any Railway crossing guarded or unguarded, the driver of every motor vehicle shall stop the vehicle and shall not enter the Railway crossing until he has made himself sure that the Railway track on both sides is clear.

Section 119 and 138 (B) (2) (1)

192. Duty to comply with traffic control signals.—(1) Every driver of a motor vehicle shall, when driving the vehicle in a public place comply with any traffic control signal given to him by any police officer in uniform, for the time being engaged in the regulation of traffic in such public place.

Explanation.—For the purpose of this rule "Traffic Control Signal" means a traffic control signal as illustrated in the Fourth schedule to these rules.

Sections 96 (2) (xii), (xiii), 117 and 138 (2) (e)

193. Use of protective head gear.—Every person driving or riding a motor cycle of any class or description shall wear a protective headgear approved by the Bureau of India Standards from time to time.

Chapter-IX

HALTING OF MOTOR VEHICLES IN PUBLIC PLACES

194. Halting of stage carriage.—(1) No stage carriage shall be halted in an urban area on a notified bus stop for more than five minutes consecutively for the taking up or setting down of passengers or at any time during the course of a run except at a bus stand.

(2) The District Magistrate may direct that in an urban area, in any street or any road notified by him in this behalf (the notification made through the public proclamation or in such other manner as the District Magistrate may deem fit) no stage carriage shall take up or set down passengers except at a place appointed by him as a bus stop or at a bus stand.

(3) No stage carriage shall be halted at a bus stop for longer than it is necessary to take such passengers as are waiting on when the vehicle arrives and to set down such passengers as wish to alight

(4) If the run of any stage carriage starts or finishes in an urban area, it shall unless the District Magistrate specially exempts the vehicle from the provisions of this rule, be begun from or be ended at a bus stand.

(5) Where a stage carriage is exempted from the provisions of the preceding sub-rule it shall be condition of the exemption that no passenger shall be taken up or set down, as the case may be, at any point with, a distance of 183 metres or such other distance as may be named in the order of exemption from the place where the stage carriage is garaged or parked at the start or finish of the run.

(6) In exempting a stage carriage from the provisions of sub-rule (4), the District Magistrate may make it a condition that the passengers shall be set down first and thereafter passengers be taken up at a particular bus stop fixed for the purpose in the order of exemption.

(7) An order of exemption made under sub-rule (4) shall remain in force for one year or such lesser period as the District Magistrate may direct and may be cancelled or modified by him at his discretion at any time.

(8) A Regional Transport Authority may attach to a stage carriage permit, a condition that when the vehicle is not in use, it shall not be halted in any public place except at a bus-stand or at a parking place appointed under rule 196 :

Provided that the aforesaid provisions shall not apply to a stage carriage when it is being used as a contract carriage or as a vehicle for the carriage of goods without passengers; provided that a board has been affixed to the vehicle bearing the inscription "ON CONTRACT" or "CARRYING GOODS ONLY", as the case may be; provided further that the particulars of the hiring have been entered in the log book of the vehicle.

Sections 96 (2) (xxi) and 138 (2) (e)

195. Halting of contract carriages.—A Regional Transport Authority may impose on the use of any contract carriage or any stage carriage where the same is being used as a contract carriage a condition that the vehicle shall not be halted for more than the consecutive minutes in any public place in an urban area save at parking place or in the case of a motor cab at a taxi stand duly appointed under rule 196.

Sections 96 (2) (xxi) and 138 (2) (e)

196. Parking Places.—Subject to the provisions of rule 201, a District Magistrate, may, subject to the control of the Regional Transport Authority concerned and after consultation with the Superintendent of Police and the local authority having jurisdiction in the area concerned, make orders appointing parking places and stands for motor vehicles under section 117:

Provided that no place which is privately owned shall be appointed as a parking place or a stand except on application by or with the written consent of the owner.

Sections 96 (2) (xxiii) and 138 (2) (e), Section 117

197. Taxi Stands.—At every taxi stand appointed under rule 196 :—

- (a) the drivers shall station their motor cabs in the stand in the order in which they arrive, the motor cab which has been waiting longest being stationed in the front position and the motor cabs being moved up as vacancies occur;
- (b) the drivers of the first two motor cabs shall stay by their vehicles ready to be hired by any person;
- (c) no motor cab engaged for some future time shall be kept in the taxi stand unless the driver is willing to accept any intermediate hiring that may be offered; and
- (d) no disabled motor cab shall be kept in taxi stand unless the disablement can be and is intended to be remedied forthwith.

(2) The District Magistrate may in the case of any taxi stand relax any or all the provisions contained in sub-rule (1).

(3) Nothing in sub-rule (1) shall render it obligatory on a person wishing to hire a motor cab from a taxi stand to take the first cab or restrict his freedom to choose whichever vehicle he prefers.

Sections 122 and 138 (2) (a)

198. Involuntary halts.—No person shall be liable to be punished for halting a vehicle in contravention of any of the rules contained in this chapter, if the stopping of vehicle was occasioned by a mechanical defect or by any other cause beyond the control of the driver or person incharge:

Provided that the driver or other person-in-charge shall continue to be liable for contravening tsection 122, unless all practicable steps have been taken to dispose of the vehicle in such a way tha it shall not cause danger, obstruction or inconvenience to other users of the road.

Section 138 (2) (i)

199. Prohibition on the use of horn.—Except to avoid an imminent accident, no person shall sound the horn or other audible warning device of any motor vehicle within the limits of a bus stand, darking place or taxi stand.

Section 96 (2) (xxii) and 138 (2) (e)

200. Classification of Bus Stands.—(1) Bus stands shall be classed as follows:—

- (A) Bus stands, being General Bus Stands administered directly by the State Transport Authority;
- (B) Bus Stands being General Bus Stands entrusted for management, under arrangements made by the District Magistrate, to a private person or Company;
- (C) Bus Stands, being General Bus Stands administered by a Municipal Committee or other local authority either directly or through the agency of a contractor;
- (D) Other Bus Stands, or Company Bus Stands.

(2) Every order made by the District Magistrate under rule 196 shall show clearly the class of stand which is allowed to be established and shall be in the respective Form that is H.P. Form XI/III Stand 'A' H.P. Form XLIX Stand 'B', H.P. Form Stand 'C' or H.P. Form LI Stand 'D' and shall be notified by publication in one or more newspapers in circulation in the District or by such other means as the District Magistrate may consider appropriate.

(3) The District Magistrate shall from time to time fix the fees or the maximum fees payable at every stand.

Sections 96 (2) (xxii) and 138 (2) (e)

201. Consideration governing the location of stands.—In deciding whether to grant permission for the use of any place as a stand, the District Magistrate shall have regard to the following matters, namely :—

- (a) the interests of the public generally and the efficient organisation of transport system;
- (b) the suitability of the site from the point of traffic control;
- (c) the avoidance of annoyance to persons living or having property in the locality;
- (d) the suitability of the site in relation to other stands in the same town; and
- (e) any other consideration that may appeal to be relevant.

Section 96 (2) (xxii) and 138 (2) (e)

202. Conditions applicable to all stands.—(1) Every order permitting a place to be used as a stand under rule 196 shall be subject to the following conditions, namely:—

- (a) that the land and buidling of the stand shall at all times be kept clean and in a good state of repair;

- (b) that the stand shall be administered in a seemly and orderly manner;
- (c) that the person, transport company, transport firm, transport society or authority permitted by the District Magistrate to use the place as a stand shall take all possible precautions to ensure that no breach of the Act or of the rules is committed in respect of any vehicle entering or leaving halting at the stand;
- (d) that a board shall be set up in a conspicuous position at the stand showing the fees payable and that the full amount of fees due from the owners and drivers of vehicles shall be charged neither more nor less;
- (e) that weighing machine shall be maintained at the stand for determining the weight of the goods to be carried by passengers in public vehicles or in the goods carriages; and
- (f) that local authority or person authorised to administer the stand shall:—
 - (i) maintain such records as the District Magistrate may from time to time direct;
 - (ii) employ such staff at the stand as may be specified in the order made by the District Magistrate;
 - (iii) provide waiting room for the largest number of passengers that may reasonably be expected to use the stand at any one time including separate accommodation for women;
 - (iv) provide suitable lavatories for both sexes;
 - (v) provides rest rooms for the drivers and conductors of the vehicles regularly kept at the stand;
 - (vi) provide rest rooms for the drivers and conductors of the vehicles regularly kept at the stand;
 - (vii) provide covered accommodation or other form of shelter for all the vehicles regularly kept at the stand or for such percentage of those vehicles as the District Magistrate may specify;
 - (viii) provide for the illumination of the stand at night;
 - (ix) provide in a separate portion of the stand facilities for washing and cleaning vehicles and for executing ordinary repairs;
 - (x) provide toilet and refreshment facilities in keeping with the appropriate requirements of privacy and hygiene; and
 - (xi) provide cloak-room containing wash basins, water taps for women passengers.

(2) With the approval of the State Transport Authority or the Regional Transport Authority the District Magistrate may attach to the order any other condition that may seem to him to be necessary to secure the efficient administration of the stand or otherwise to be in the public interest.

Section 96 (2) (xxii) and 138(2) (e)

203. Stands of Class-B.—(1) When an order has been made permitting a place to be used for the establishment of a stand of Class-B, the District Magistrate may enter into an agreement with any person, firm or Company (hereinafter referred to as the manager) to undertake the maintenance and management of the stand and to be responsible for the fulfillment of the conditions attached to the order of sanction and of all the provisions of the Act and the rules.

(2) It shall be a condition of every agreement made under the proceeding sub-rule that the manager shall maintain accounts containing such particulars as the District Magistrate may require and such accounts shall be open at all reasonable times for inspection by the District Magistrate or any official or auditor appointed by him.

(3) Every such agreement shall further state whether the manager shall be entitled to retain the whole of the fees collected at the stand or whether some portion thereof or a consolidated sum in lieu, shall be payable to the Government of Himachal Pradesh.

(4) An agreement under sub-rule (1) may be so made as to require the manager within a certain time to erect specified buildings or carry out specified works on the site of the stand, or fulfil the conditions specified in rule 202.

(5) Save with the approval of the Regional Transport Authority, no agreement shall be made under sub-rule (1) with any person who has financial interest, direct or indirect, in any of the vehicles likely to be kept at the stand and unless the person with whom the agreement is to be made agrees that he will not employ in the working of the stand any person having such interest.

Section 96 (2) (xxii) and 138 (2) (e)

204. Stands of Class-C.—(1) A local authority administering a stand of class-C shall maintain separate accounts of the income received and expenditure incurred in respect of it and those accounts together with the accounts of any manager or contractor employed by the local authority in connection with the stand shall be subject to audit under arrangements made by the Government of Himachal Pradesh and shall be open to inspection at all reasonable times by the District Magistrate and any official appointed by him for this purpose.

(2) It shall be a condition of every order permitting a place to be used as a site for a stand of class-C that the whole of the profits derived from the administration of the stand, after deducting such expenditure for the management, lighting and maintenance of the stand as may be incurred, with the approval of the District Magistrate together with the deductions specified in the sub-rule (3), shall be devoted by the local authority to defraying the cost of new buildings and improvements at the stand or providing amenities for the drivers of vehicles or waiting passengers.

(3) In determining the amount to be explained by the local authority under sub-rule (2) on new buildings improvements and amenities, a deduction shall be made equal to :—

- (a) the interest which the local authority may actually be paying on any sum borrowed by it during the preceding twenty years for the purpose of acquiring land or buildings for the stand or if the local authority has during the preceding twenty years expended capital of its own in acquiring land and buildings, a sum representing interest on that capital at the current bank rate;
- (b) any rent which may be due from the local authority to any person on account of the land and buildings included in the stand; and
- (c) such additional sum not exceeding three percent of the gross receipts from fees as may be agreed between the District Magistrate and the local authority.

(4) Save with the approval of the Regional Transport Authority, the local authority administering a stand of class-C shall not entrust the management of the stand to, or permit to be employed in the working of the stand, any person who has a financial interest direct or indirect in any of the vehicles likely to be kept thereof.

Section 96 (2) (xxii) and 138 (2) (e)

205. Stands of Class-D.—(1) Order permitting a place to be used as a stand of class-D shall specify clearly the area which may be so used.

(2) Give with the special permission of the Regional Transport Authority no order in terms of sub-rule (1) shall be made unless the person, transport company, transport firm or transport society applying to use the place as a stand holds permits being permit in the name of the person, transport company, transport firm or transport society making the application for not less than five transport vehicles.

(3) Before giving permission for the establishment of any stand of class-D the District Magistrate shall satisfy himself that the proposed site is not in such location as would give the user an undue advantage over the owners of stage carriage operating in competition with him from the stand.

(4) No vehicle shall be admitted to any stand of Class-D other than a vehicle in respect of which a permit is held by the person, a transport company, transport firm or transport society in whose name the stand has been sanctioned together with any vehicles which may have been specially mentioned in the District Magistrate's order as entitled to use the stand.

Section 96 (2) (xxii) and 138 (2) (e)

206. Boundaries of stands to be demarcated.—The local authority or person entrusted with the administration of a stand shall erect and maintain to the satisfaction of the District Magistrate pillars or other marks of a permanent character clearly indicating the boundaries of the land including in the stand.

Section 96 (2) (xxii) and 138 (2) (e)

207. Prohibition on use of land sounding devices at stand.—No horn, gong, bell, whistle, gramophone, loud-speaker, musical instrument or other device of creating a loud noise shall be used to attract passengers to any stand.

Section 96 (2) (xxii) and 138 (2) (e)

208. Disposal of moneys accruing to Government.—Moneys accruing to the Government of Himachal Pradesh from the administration of stands shall be devoted, subject to the vote of the legislature to :—

- (a) the carrying out of improvements and the provisions of amenities at stands;
- (b) the acquisition of sites for stands; or
- (c) any other object which in the opinion of the Government conduces to the efficient functioning of the stand.

Section 96 (2) (xxii) and 138 (2) (e)

209. Stands to be open to all transport vehicles.—No transport vehicle, the driver or person-in-charge of which offers to pay the fees, shall be refused admittance to a stand of class A, B or C unless the sanctioned accommodation at the stand is already fully occupied :

Provided that where the owner of any vehicle has been granted a license for a stand of Class D or has been given permission to make use of a stand of Class-D his vehicle shall have no right of admission to any Class A, B, or C stand situated within four kilometres of that stand.

Section 96 (2) (xxii) and 138 (2) (e)

210. Cancellation of order for the establishment of stands.—(1) District Magistrate may, at any time, revoke any order made by him or any of his predecessors permitting the establishment of any stand if in his opinion any of the conditions on which the stand was permitted to be established, have been contravened or the stand has not been satisfactorily managed or its continuance is no longer in the public interest.

(2) Before revoking any order under the preceding sub-rule, the District Magistrate shall give the person authorised to administer the stand, an opportunity of being heard and shall record his reasons in writing.

(3) An order permitting the establishment of a stand, unless revoked under sub-rule (1), shall remain in force for a period of three years or such lesser period as may be specified in the order and such order to be renewed from time to time by the District Magistrate for a further period of not more than three years.

Section 99 (2) (xxii) and 138 (2) (e)

211. Control over District Magistrate.—(1) Any person aggrieved by an order of the District Magistrate sanctioning the establishment of a stand or revoking an order permitting the establishment of a stand may, within thirty days of the receipt of the order, appeal to the Commissioner of the Division, whose order thereon shall be final and conclusive.

(2) Saving always the powers of the Commissioner of the Division as the authority appointed to hear appeals under sub-rule (1), the District Magistrate shall in all matters relating to the establishment of stands and the appointing of bus stops be subject to the control of the State Transport Authority and shall comply with any particular or general instructions that may be issued by that authority.

Section 96 (2) (xxii) and 138 (2) (e)

212. Control of officers over the stands.—Any officer authorised by the Director in this behalf shall ensure that provisions of the rules contained in this chapter are complied with by the manager maintaining stands.

Chapter-X

INSURANCE OF MOTOR VEHICLES AGAINST THIRD PARTY RISKS

213. Presentation of certificate of insurance.—The owner of a motor vehicle applying for registration or renewal of registration, grant or renewal of permits, issue or renewal of certificate of fitness, transfer of ownership, payment of tax or for any other authority to use a vehicle in a public place by himself or any other person on his order or with his permission shall produce with his application a certificate of insurance complying with the requirements of Chapter XI of the Act and valid on the date when such authority comes in to operation :

Provided that the owner of a motor vehicle exempted under sub-section (2) of section 147 of the Act, shall produce, in the place of a certificate of insurance, the certificate prescribed in rule 148 of the Central Motor Vehicles Rules, 1989.

Section 146 (2) (3)

214. Motor Vehicles Reserve Fund.—A Motor Vehicle Reserve Fund shall be established and the contribution thereto shall be made at the rate of not less than Rs. 500 per annum per vehicle by any of the authorities specified in sub-section (3) of section 146 :

Provided that the contribution may cease when the maximum limit of Rs. 2500 per vehicle is reached but it shall again be continued at the aforesaid rate when the accumulation in the Motor Vehicles Reserve Fund falls below the maximum as a result of withdrawals from that Fund.

Section 146 (3)

Chapter XI

MOTOR ACCIDENTS CLAIMS TRIBUNAL

215. Application for claims for compensation.—Every application for claims of compensation to be made under section 166 shall be in H. P Form LII-MACT-A.

Section 165 and 176

216. Examination of applicant on oath.—On receipt of an application for claims of compensation, the claims, Tribunal may examine the applicant on oath and the substance of such examination, if any, shall be reduced to writing, when the application is time-barred as per provisions of sub-section (3) of section 166, the Claim Tribunal may ask the applicant to give reasons for condonation of delay, in writing, and if there is no sufficient cause, it may be dismissed without calling upon the applicant to appear.

Section 168 (1) and 176

217. Summary dismissal of application.—The Claims Tribunal may, after considering the application and the statement, if any, of the applicant recorded under rule 216, dismiss the application summarily, if for reasons to be recorded, it is of the opinion that there are no sufficient grounds for proceeding therewith.

Sections 169 and 176

218. Notice to parties involved.—If the application is not dismissed under rule 217, the Claims Tribunal shall send to the owner of the motor vehicle involved in the accident and its insurer a copy of the application together with a notice of the date on which it will hear the application and may call upon the parties to produce on the date any evidence which they may wish to tender.

Section 169 and 176 (b)

219. Appearance and examination of the parties.—(1) The owner of the motor vehicle and the insurer, may, and if so required by the Claims Tribunal shall, at or before the first hearing or within such further time as the Claims Tribunal may allow, file a written statement dealing with the claim raised in the application, and any such written statement shall form part of the record.

(2) If the owner or the insurer contests the claims, the Claims Tribunal may, and if no written statement has been filed it shall, proceed to examine the owner and the insurer upon the claim and shall reduce the substance of the examination to writing.

Sections 169 and 176 (b)

220. Summoning of witnesses.—If any application is presented by any party to the proceeding for the summoning of witnesses, the Claims Tribunal shall on payment of the expenses involved, if any, issue summons for the appearance of such witness, unless, it considers that the appearance is not necessary for a just decision of the case.

Sections 169 and 176 (b)

221. Appearance of legal practitioner.—The Claims Tribunal may, in its discretion, allow any party to appear before it through a legal practitioner.

Sections 169 and 176 (b)

222. Local Inspection.—(1) The Claims Tribunal may, at any time during the course of any proceedings before it visit the site at which the accident occurred for the purpose of

making local inspection or examination of any person likely to be able to give information relevant to the enquiry.

(2) Any party to a proceeding or the representative of any such party may accompany the Claims Tribunal for a local inspection.

(3) The Claims Tribunal, after making a local inspection shall note briefly in a memorandum the facts observed, and such memorandum shall form part of the record of the proceedings.

(4) The memorandum referred to in sub-rule (3) may be shown to any party to the proceedings who desires to see it and a copy thereof may, on application, be supplied to any such party, at the rate of two rupees per page.

Sections 169 and 176 (b)

223. Inspection of Vehicles.—The Claims Tribunal may, if it thinks fit, require the motor vehicle involved in the accident to be produced by the owner for inspection at a particular time and place to be mentioned by it, if necessary, in consultation with the owner.

Sections 169 and 176 (b)

224. Power of summary examination.—(1) The Claims Tribunal may during a local inspection or at any other time save at a formal hearing of a case pending before it, examine summarily any person likely to be able to give information relating to such case, whether such person has been or is to be called as a witness in the case or not and whether any or all of the parties are present or not.

(2) No oath shall be administered to a person to be examined under sub-rule (1).

Sections 169 and 176 (b)

225. Method of recording evidence.—The Claims Tribunal shall, as examination of witnesses proceeds, make a brief memorandum of the substance of the evidence of each witness and such memorandum shall be written and signed by the members of the Claim Tribunal and shall form part of the record :

Provided that the evidence of any medical witness shall be taken down as nearly as may be, word for word.

Sections 169 and 176 (b)

226. Adjournment of hearing.—If the Claims Tribunal finds that an application cannot be disposed of at one hearing, it shall record the reasons which necessitate the adjournment and also inform the parties present on the date of adjournment of hearing.

Sections 169 and 176 (b)

227. Co-opting of persons during inquiry.—(1) The Claims Tribunal may, if it thinks, fit, co-opt one or more persons possessing special knowledge with respect to any matter relevant to the inquiry.

(2) The remuneration, if any, to be paid to the person co-opted shall in every case be determined by the Claims Tribunal.

Sections 169 and 176 (b)

228. Framing of issues.—After considering any written statement, the evidence of the witnesses examined and the result of any local inspection, the Claims Tribunal shall proceed to frame and record the issues upon which the right decision of the case appears to it to depend.

Sections 169 and 176 (b)

229. Determination of issues.—After framing the issues, the Claims Tribunal shall proceed to record evidence thereon which each party may desire to produce.

Sections 169 and 176 (b)

230. Diary.—The Claims Tribunal shall maintain a diary of the proceedings on an application.

Sections 169 and 176 (b)

231. Judgment and award of compensation.—(1) The Claims Tribunal in passing order, shall record concisely in a judgment the findings on each of the issues framed and the reasons for such findings and make an award specifying the amount of compensation to be paid by the insurer and also the person to whom compensation shall be paid.

(2) Where compensation is awarded to two or more persons the Claims Tribunal shall also specify the amount payable to each of them.

(3) When the Claims Tribunal pronounces the judgement and makes the award, it should read the operative part of the award in the regional language which is understood by the claimants and it shall also be explained to them that they are entitled to a full amount of compensation which has been awarded to them and they are not liable to pay any percentage amount of compensation to lawyers but have only to pay fee determined by the Tribunal.

Sections 169 and 176 (b)

232. The Code of Civil Procedure to apply in certain cases.—The following provisions of the First Schedule to the Code of Civil Procedure, 1908, shall so far as may be, apply to proceedings before the Claims Tribunal, namely, Order V, Rules 9 to 13 and 15 to 30; Order IX; Order XIII; Rule 3 to 10; Order XVI, Rules 2 to 21; Order XVII; Order XXI and Order XXIII, Rules 1 to 3.

Sections 169 and 176 (b)

233. Form and manner of appeals against the award of Claims Tribunal.—An appeal against award of a Claim Tribunal shall be preferred in the form of a memorandum stating concisely the grounds on which the appeal is preferred, it shall be accompanied by a copy of the judgment and the award appealed against.

Sections 173 and 176 (c)

234. Fees.—(1) No court fee stamps shall be leviable on an application under section 166 for payment of compensation.

(2) The amount of the court fee to be charged for inspecting the files shall be two rupees for first hour and one rupee for every subsequent hour for each case.

(3) The carbon copies of the evidence shall be given to the parties concerned, if asked for on payment of court fee stamps of two rupees per page and application for obtaining such copies shall bear court fee stamp of five rupees.

(4) An amount of two rupees per page shall be charged in the form of court fee stamps for obtaining an attested copy of the award on final order or an intermediate order or any documents filed with the Claims Tribunal.

Sections 176 (d)

235. Powers of Claims Tribunal.—In endorsing the orders, the Claims Tribunal shall have all the powers in regard to contempts, resistance and the like which a Civil Court may exercise in the execution of a decree.

Section 176 (C)

Chapter XII

MOTOR VEHICLE DEPARTMENT

236. Construction and extent of application.—The rules in this Chapter shall apply to all the Officers appointed under section 213 who shall be under the control of the Director (hereinafter referred to as the officers of the Motor Vehicles Department).

Section 213

237. Classification of officers.—The Officers specified in rule 236 shall be classified as Class-I, Class-II, Class III and Class IV officers as enumerated in rule 238.

238. Powers of Officers of Motor Vehicles Department.—The Officers of the Motor Vehicle Department included in each class under rule 237 shall exercise the powers of the police as noted below against each in respect of the offences under the Act:—

Class-I :

- | | |
|----------------------------------------------|---------------------------------------------------|
| (a) Director | Powers exerciseable by a Superintendent of Police |
| (b) Secretary, State Transport Authority. | Powers exerciseable by a Superintendent of Police |
| (c) Secretary, Regional Transport Authority. | Deputy Superintendent of Police |

Class-II :

- | | |
|---------------------------------------------------|-----------------------------------------------------------|
| (a) Assistant Commissioner Transport (Technical). | Powers exerciseable by a Deputy Superintendent of Police. |
| (b) Supdt. Grade I | -do- |

Class-III :

- | | |
|------------------------------------------|-----------------------------------------------|
| (a) Supdt. Grade-I | Power exerciseable by an Inspector of Police |
| (b) Motor Vehicles Inspector (Sr. & Jr). | Powers exerciseable by an Inspector of Police |

Class-IV :

- | | |
|---------------------------------------|----------------------------------------------|
| Peons/orderly while on checking duty. | Powers exerciseable by a Constable of Police |
|---------------------------------------|----------------------------------------------|

239. Duties, powers and functions of the Officers of the Motor Vehicles Department.—

(1) All Officers of the Motor Vehicles Department shall be responsible to administer and enforce the provisions of the Act, rules, regulations or Notifications made or issued thereunder and carry out such duties as have been assigned to them under these rules or such other duties as may be assigned to them.

(2) The Officers of the Motor Vehicles Department shall be responsible for the regulation of and proper control of traffic and transport within their respective charge and inspection of stands, collecting, forwarding and/or distributing agents, Driver's Training Schools, Authorised Testing Stations with a view to ensuring provisions of amenities for the public in general.

(3) Traffic control in districts shall continue to be performed by the District Police and the checking by the officers of the Motor Vehicles Department shall in no way interfere with the normal working of the Police in the matter of traffic control.

Section 213

240. Identity Card.—Every Officer of the Motor Vehicle Department shall carry with him an identity card giving brief description of his name, designation, date of birth and special mark of identification with a passport size photograph duly attested by the Director or the Secretary, State Transport Authority.

Section 213

241. Uniforms.—(i) The uniform for the officers of the Motor Vehicles Department will be so designed that it does not get mistaken for or confused with uniforms used by the regular police force.

(2) Every officer of Class III and Class IV of the Motor Vehicles Department shall, while on duty, wear the uniform and insignia specified as under:—

Uniform for the officers of the Motor Vehicles Department.

For Summer :

1. Trousers Chocolate Brown.
2. Shirt Khakhi.
3. Turban Chocolate Brown.
4. Whistle with Khakhi Cord.
5. Leather Belt Brown.

For Winter :

1. Trousers Chocolate Brown.
2. Shirt Khakhi Serge.
3. Woollen Jersey Chocolate.
4. Turban Chocolate Brown.
5. Whistle with Khakhi Cord.
6. Leather Belt Brown.

Insignia

10 CM

Transport Department Himachal Pradesh
State Government
Designation_____

3 CM

(3) The uniform shall not be worn by the officers of the Motor Vehicles Department at fancy dress balls, in dramatic performance, or other entertainments and it shall not be lent for use to any other persons.

(4) No Officer, other than Class-I and Class-II, of the Motor Vehicle Department shall cause a vehicle to stop, keep it stationary, enter, travel, inspect or carry out any duty imposed by or under the Act or the rules, unless he is wearing the uniform and insignia and is carrying the identity card.

Chapter XIII

MISCELLANEOUS

242. Refund of fees.—Except when otherwise provided in the Central Motor Vehicle Rules, 1989, subject to the provisions of rules 243 and 244 the Secretary of the State Transport Authority, or the Secretary of Regional Transport Authority, concerned, may on application either adjust against fees payable for the same purpose in future or sanction the refund of :—

- (a) the excess, where the amount paid is in excess of the proper fee;
- (b) the full fee paid, where the fee was paid by mistake; and
- (c) the full fee paid, where the remittance of the fee is not followed by an application for the purpose for which the fee was paid.

243. No refund after inspection.—No refund of fee for a certificate of fitness shall be made when the inspection of the vehicle in respect of which the certificate was applied for, has been carried out.

244. Time for application for refund.—(1) No refund of fee paid in excess shall be made if the application for such refund is not made within three months from the date of such excess payment.

(2) No refund of fee paid by mistake shall be made if the application for such refund is not made within one year from the date of the credit of the fee to Government.

(3) No refund of the fee, where the remittance of the fee is not followed by an application for the purpose for which the fee was paid, shall be made if the application for such refund is not made within one year from the date on which the fee was credited to Government.

245. Repeal and savings.—The Punjab Motor Vehicles Rules, 1940 and the Punjab Motor Accidents Claims Tribunal Rules, 1964 as in force in the area added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966); and the Himachal Pradesh Motor Accidents Claims Tribunal Rules, 1960, Himachal Pradesh Tourist Vehicles Rules, 1964 and the Punjab Motor Vehicles Rule, 1940, as in force in and applied to the area as comprised in Himachal Pradesh immediately before 1st November, 1966 are hereby repealed :

Provided that order issued or any action taken under the rules shall in so far as it is not inconsistent with the provisions of these rules be deemed to have been issued or taken under the corresponding provisions of these rules.

THE FIRST SCHEDULE

Rules 18, 29 and 94 of Himachal Pradesh Motor Vehicles Rules, 1989

BADGES FOR DRIVERS, CONDUCTORS AND TICKET AGENTS**DRIVER'S BADGE**

(See rule 18)

DRIVER

294

Licensing Authority

SHIMLA

White metal of light weight 45 millimetres in diameter. The words and the number to be engraved or embossed in blue.

CONDUCTOR'S BADGE

(See rule 29)

CONDUCTOR

249

Licensing Authority

SHIMLA

White metal of light weight 45 millimetres in diameter. The words and the number to be engraved or embossed in blue.

TICKET AGENT'S BADGE

(See rule 94)

**TICKET AGENT'S
BADGE**

89

**LICENSING AUTHORITY
MANDI**

Triangular Badge the bottom side 100 millimetres long, each of the other two side 70 millimetres lettering in white on area ground.

See rule 174

THE SECOND SCHEDULE

(Rule 162 of Himachal Pradesh Motor Vehicles Rules, 1991)

(325 millimetres)

Removable
SHIMLA
SHIMLA
SHIMLA

(250 millimetres)

Fixed
HP-03-0999 or
HP-03-0999 or
HP-03-0999

(325 millimetres)

Removable
Delhi
Delhi
Delhi

1. The starting and the terminating places shall be depicted in black letters on white ground.
2. Registration number shall be depicted in black letters on white ground.
3. The letters of the words indicating the starting point and the terminus shall be in English or in English and Hindi and shall each be not less than 65 millimetres high and 13 millimetres thick at any part.

THE THIRD SCHEDULE

(See rule 189)

T

Letter to be in white on a black ground.

Letter to be 175 millimetres in height and 125 millimetres to width, the strokes being 30 millimetres broad, overall measurements of the mark 200 millimetres high, 175 millimetres wide.

The above dimensions are minima. The mark may be exhibited in a larger size, if desired.

THE FOURTH SCHEDULE (PART-A)

(See Rule 192 of HP Motor Vehicles Rules, 1992)

Signal No. 1.—To stop a vehicle approaching from behind.

The signaller extends his left arm horizontally from the shoulder and parallel to the ground with the palm facing front, its back being towards the rear vehicle as shown.

Signal No. 2.—To stop a vehicle coming from front.

The signaller raises his right hand above his head slightly extending to the front with fingers closed and the palm facing the on coming traffic as shown.

Signal No. 3.—To stop vehicles approaching simultaneously from front and behind.

The signaller extends both the arms as in signal 1 and 2 and as shown.

Signal No. 4.—(a) To stop traffic approaching from left and wanting to turn right.

This signal is by extending the left arm as in Signal (1) and the right arm extended a little forward with the palm facing downward as shown.

Signal No. 5.—To stop traffic approaching from the right to allow traffic approaching from the left to turn right.

The signal is given by extending the right arm as in Signal (2) except that the arm will be sideways and the palm facing right as shown.

Signal No. 6.—To allow traffic coming from right and turning right by stopping traffic approaching from the left.

The right hand is raised to the position as shown in signal 2 and the left sideways with palm facing left as shown.

Signal No. 7.—Warning signal closing the traffic.

This signal is necessary as a preliminary to opening the other direction of traffic after turning right or left.

Signal No. 8.—Come on! Beckoning on a vehicle approaching from left.

The right arm is as in signal 2 and the left arm is raised from the elbow upwards and brought upto the position of the shoulder. The signaller should also look to the left. This movement is repeated so that the motorist can understand that he is being called up.

Signal No. 9.—Come on! Beckoning on vehicles approaching from the right.

The left arm is extended as in signal 1 and the right arm is raised from the elbow upwards and brought up to the position of the shoulder. The signaller should also look to the right.

Signal 10.—Come on! Beckoning on a vehicle from front.

The right hand is raised from the elbow back of the palm facing towards the vehicle. The movement is repeated.

RED means STOP wait behind the stop line.—*AMBER means STOP at the stop line.* You may only go on if the *AMBER* appears after you have crossed the stopline or are so close to it that to pull up might cause an accident.

RED and AMBER also mean STOP. Do not pass through or start until GREEN show.—*GREEN ARROW means that you may go in the direction shown by the arrow.*—You may do this whatever other lights may be showing.

GREEN means you may go on if the way is clear take special care if you mean to turn left or right and give way to pedestrians who are crossing.—*PEDESTRIANS.*

HP FORM 1 L.L.D.

(Rule 10 of Himachal Pradesh Motor Vehicles Rules, 1992)

INTIMATION OF LOSS OR DESTRUCTION OF LICENCE AND APPLICATION FOR DUPLICATE LICENCE

To

The Licensing Authority ;

I..... of
(Permanent address).....
(Present address).....
Father's name).....
I hereby report that driving licence No..... issued by Licensing

Authority.....on or about the
day of19.....has been lost/destroyed in the following circumstances:—

2. I hereby apply for a duplicate licence and tender twenty five rupees as fees through cash receipt/treasury challan No. and date.

3. I attach two clear copies of a recent photograph of myself.

(Date)

Signature or thumb-impression of applicant.

For use in the office of the Licensing Authority

PART-I

(1) Duplicate of driving Licence No.....
first granted on.....has been issued
by me this.....day of

(1) Application refused in letter No.....dated the.....to the
applicant giving reasons.

(Date)

Licensing Authority

(1) Strike out alternative not required

PART-II

Forwarded to the Licensing Authority.....
.....for
verification and completion of part III.

(Date)

Licensing Authority

PART-III

Returned to the Licensing Authority.....Signature

The photograph and thumb-impression (1) have been compared with No such Licence
appears to have been issued by this office (1).

I am not satisfied that the applicant was the holder of the licence described (1).

I am satisfied that the applicant was the holder of a licence issued by this office as follows:—

- (1) Number.....
- (2) Date of issue.....
- (3) Last renewed by the Licensing Authority.....19

- (4) Date of expiry.....19
- (5) Classes of Vehicle (2)
- (6) The licence —
- (a) Entitled the holder to drive as a paid employee. (1)
- (b) Carried an authorisation to drive a public service vehicle, granted (1).....
- (a) Carried the following endorsements.

(Date)

Licensing Authority

- (1) Strike out alternative not required.
- (2) He to fill in (a), (b), (c) etc. as specified in section 10 of the Act.

PART-IV

Returned to the Licensing Authority.....

A duplicate licence has been issued by me on the day of.....19

- (1) A copy of the photograph affixed thereto is attached.

I have in my letter No....., dated the.....

declined to issue the duplicate licence applied for. A copy of that letter is attached (1).

Date

Licensing Authority

- (1) Strike out alternative not required.

H. P. FORM II TEMP

[Section 130 (1) of the Motor Vehicle Act, 1988 and Rule 13 of the Himachal Pradesh Motor Vehicles Rules, 1991]

GOVERNMENT OF HIMACHAL PRADESH
RECEIPT FOR A DRIVING LICENSE

I have taken possession of the licence hereunder described :—

No.....

Name of holder.....

Father's name.....

Present address.....

2. If the holder is called upon to produce his licence for examination he should exhibit this receipt in lieu thereof.

3. This receipt is valid until the.....day of.....19.....
or until the licence has been suspended or cancelled by competent authority, whichever is
sooner.

*

Dated

The above receipt is hereby extended upto the.....day of.....19.....
.....on the same conditions.

Dated

(*)

*Signature and designation of the authority granting or extending the receipt.

HP FORM III L. TEM (MVD)

[Sub-section (3) of section 206 of the Motor Vehicle Act, 1988 and Rule 13 of the Himachal Pradesh Motor Vehicles Rules, 1942.]

MOTOR VEHICLES DEPARTMENT

Book No.....

Form No.....

Enforcement

Gross reference in report from..

Registration No. of Vehicle..

Number of permit and Regional Transport
Authority by which issued (in the case of
transport vehicles only)..

Scene of offence, with date and time

Offence (section of law of rule, with particulars)..

Name of accused person..

Temporary and permanent address of accused
person..

Whereas you are being prosecuted for the offence described above, you are required to
attend the court ofMagistrate, 1st Class.
....., at 10.00 a. m. on.....
to answer the said charge unless/otherwise order by the Court.

Your driving licence No.....has been taken into my possession in
pursuance of Section 206 of the Motor Vehicle Act, 1988. Until the licence is returned to you

or the court has otherwise ordered this acknowledgement shall serve as an authority enabling you to continue to drive on the same terms as are applicable to your licence.

(Date)

(Signature and designation)

HP FORM IV L.E.

[Section 24 of the Motor Vehicles Act, 1988 and Rule 15 (1) of the Himachal Pradesh Motor Vehicle Rules, 1992].

INTIMATION BY COURT OR AUTHORITY OF ENDORSEMENT ON LICENCE

To

Court of.....Magistrate.....

Class/Authority.....

To

The Licensing Authority,

Licence No.....dated the
.....issued by you in favour of.....

Name

Name of Father.....

Permanent address.....

Present address.....

has been endorsed by this Court by the undersigned as follows :—

Date of endorement.....

Section.....of the Motor Vehicles Act, 1988 and rule

.....of the Himachal Pradesh Motor Vehicle Rules, 1991.

Punishment order by the Court.....

Magistrate.....Class

(Date)

Copy forwarded to the licensing Authority,.....

by whom the licence was last renewed on.....199

(Date)

Magistrate.....Class

H P FORM VL.R.

[Section 15 (6) of the Motor Vehicles Act, 1988 and rule 15 (2) of the Himachal Pradesh Motor Vehicle Rules, 1991]

INTIMATION OF RENEWAL OF LICENCE

From

The Licensing Authority,

To

Licensing Authority,

Licence No..... dated issued by

you in favour of.....

Name.....

Name of Father.....

Permanent address.....

has been renewed by me for a period of.....

months with effect from the..... day of..... 19.....

Licensing Authority

H.P. FORM VI L.A.D.

[Section 6 (3) of the Motor Vehicles Act, 1988 and Rule 15 (3) of the Himachal Pradesh Motor Vehicle Rules, 1991]

INTIMATION OF AN ADDITION MADE BY ONE LICENSING AUTHORITY UPON A LICENCE ISSUED BY ANOTHER AUTHORITY IN RESPECT OF THE CLASSES OF VEHICLE WHICH THE HOLDER IS ENTITLED TO DRIVE

From

The Licensing Authority,

To

The Licensing Authority,

Licence No..... dated the.....

issued by you in favour of.....

Name.....

Name of father.....
~~Permanent~~ address.....
 Present address
 has, with effect from the..... day of..... 19..,
 been extended by me to entitle the holder to drive the following further class of vehicle..

(Date)

Licensing Authority

HP FORM VII L.CON.A.

[Section 30 (2) of the Motor Vehicles Act, 1988 and rule 22 (1) of the Himachal Pradesh
 Motor Vehicles Rules, 1991]

FORM OF APPLICATION FOR A CONDUCTOR'S LICENCE.

1. Name.....
2. Father's Name.....
3. Present address
4. ~~Permanent~~ address
- not previously held a conductor's licence.
5. I have previously held a conductor's
 licence issued by
6. I am not disqualified for holding a conductor's licence.
7. I hereby declare that I am not less than eighteen years of age and that the above state-
 ments are true.
8. I attach two copies of a recent photograph of myself.
9. Fee paid vide receipt/Treasury challan No..... date

(Date)

(Signature or thumb-impression of applicant).

Duplicate signature or thumb-impression
 of applicant

Licence No..... (Expiring on the 19) and
 Badge No..... issued.

(Date)

Licensing Authority,

HP FORM VII F.A.B.

[Rule 22 (1) (iii) of the H.P. Motor Vehicles Rules, 1991]

Form of Medical Certificate showing competence to undertake first aid work

(To be granted by the St. John Ambulance Association, India).

I certify that Sh.....
aged about..... years is
qualified to use the first-aid box.

Dated

Signature

Designation

HP FORM IX M.C.CON.

[Section 30(2) of the Motor Vehicles Act, 1988 and rule 22 (2) of the Himachal Pradesh
Motor Vehicles Rules, 1991.]

FORM OF MEDICAL CERTIFICATE FOR A CONDUCTOR

(To be filled in by a Medical Officer)

1. Name of person examined
2. Fathers Name
3. Apparentage
4. Is the person examined, to the best of your judgement, fit physically and mentally to perform the duties of conductor of a stage carriage ?
.....
5. Does he show any evidence of being addicted to the excessive use of alcohol or drugs ?
6. Marks of identification
.....

I certify that the person examined has affixed his signature or thumb-impression hereto in my presence and that to the best of my knowledge and belief the above statements are true and that the attached photograph is a reasonably correct of the person described.

Space for photograph

Signature or thumb impression of person
examined.....
Name.....
Signature

Designation.....
of the Medical Officer.

HP FORM X L, CON

[SECTION 30 (4) of the Motor Vehicles Act, 1988 and rule 22 (4) of the Himachal Pradesh Motor Vehicles Rules, 1991]

GOVERNMENT OF HIMACHAL PRADESH**CONDUCTOR'S LICENCE**

Name

son of

of (present address)

(permanent address)

Photograph

Duplicate Signature or
thumb-impression of applicant
from HP Form VII L. CONA I

is/licenced as a conductor and has been issued conductor's badge No.

(Date)

Licensing Authority

HP FORM XI L, CON AR

[Section 30 and 38 (2) (e) of the Motor Vehicles Act, 1988 and rule 24 of Himachal Pradesh Motor Vehicles Rules, 1991]

FORM OF APPLICATION FOR RENEWAL OF A CONDUCTOR'S LICENCES

1. Name
2. Father's Name
3. Present address
4. Permanent address

5. Conductor's Licence No.....
6. Valid upto.....
7. Issued by.....
8. Fee paid for renewal vide cash/receipt/treasury Challan No. and date.
9. Badge No.
10. I am not disqualified for holding a conductor's Licence.

(Signature or thumb impression of applicant)

Verified and renewed
upto.....

(Licensing Authority)
..... (Station)

No.....

Dated.....

Copy is forwarded to the Licensing Authority (Motor Vehicle).....
..... for information. It is requested that the records of his office with regard to the
issue of Conductor's Licence to the above named applicant may be transferred to this office.

Licensing Authority
.....

(This information is required to be sent if the licence is renewed by any authority other than
the authority which had issued the licence.)

HP FORM XII P.P.T.V.

(Rule 37 of the Himachal Pradesh Motor Vehicles Rules, 1991)

FORM OF EXHIBITION OF PARTICULARS OF TRANSPORT VEHICLES

1. Registration No. of Vehicle.....
2. Name and address of owner as set forth in the certificate of Registration.....
3. Engine No.....
4. Chassis No.....
5. Date of validity of certificate of fitness.....
6. The registered unladen weight in Kgs.....
7. The gross vehicles weight in Kgs.....
8. Carrying capacity (a) if a stage carriage or a contract carriage (b) number of passengers
for whom accommodation is provided if a goods vehicle, in Kgs.....

9. Registered front axle weight.....
10. Rear axle weight.....
11. Number and size of tyres.
- (a) Front axle
- (b) Rear axle
- (c) In intermediate axle, if any.....

*Signature and name of authority
issuing the original certificate
of registration.*

Place of issue

Date.....

HP FORM XIII C: F:

[Rule 39 (2) of the Himachal Pradesh Motor Vehicle Rules, 1991]

GOVERNMENT OF HIMACHAL PRADESH

TEMPORARY AUTHORISATION PERMITTING THE USE OF A VEHICLE WHEN THE CERTIFICATE OF FITNESS HAS EXPIRED

The certificate of fitness of ¹..... Registration Mark
Renewed by Last
..... on
..... has expired.

I hereby authorise the use of the vehicle until the day of 19, provided that it is forthwith removed with all reasonable despatch to the area of the authority by whom the certificate of fitness is due to be renewed :

Provided also that while being used under this authorisation the vehicle shall not² :—

- (a) carry more than persons excluding the driver² ;
- (b) carry any goods² ;
- (c) be driven at a speed in excess of Kilometres per hour².

³.....

Dated at on the
..... day of 19

¹ Here enter brief description of vehicle.

² Strike out if not required

³ Signature and designation of authority.

FORM XIV C.F.X.

(Rule 40 of the Himachal Pradesh Motor Vehicles Rules, 1991)

WITH REGARD TO

CERTIFICATE OF FITNESS OF TRANSPORT VEHICLES

INSPECTION RECORD

“Registration Particulars”

Note.—Details will be entered after verification of the physical fitness of the vehicles with the particulars noted in the certificate of registration.

1. Registration mark and class
2. Make and Model
3. Date of original registration
4. Type of body
5. Chassis No.
6. Engine No.
7. Wheel base
8. Seating capacity/R.L.W.
9. No. and size of tyres
- (i) Front Axle
- (ii) Rear Axle
- (iii) Any other Axle
10. Number, date and validity of last certificate of fitness
11. Name and address of registered owner
12. Particulars of owner remarks (Alteration of registration particulars and connected matters)
13. Date of Inspection

PART-II

CURRENCY OF RECORDS

Note.—Details will be entered on a reference to the concerned documents.

Period of validity of :—

- (a) Permit
- (b) Insurance
- (c) M.Vehicles Tax
- (d) Passenger Tax
- (e) Goods Tax

PART-VIII

CONDITION OF IMPORTANT UNITS AND SYSTEMS

Note.—If the condition is satisfactory state “O.K.” and if defective, state the defects in brief against item.

1. Engine
2. Clutch
3. Gear Box
4. Propeller Shaft
5. Universal joints
6. Differential
7. Road wheels
8. Tyres
9. Chassis Frame
10. Front Axle
11. Rear Axle
12. F.A. Springs
13. R.A. Springs
14. Exhaust Pipe
15. Foot Brake and Servo Equipment
16. Hand Brake
17. Fuel System
18. Steering System
19. Electrical System
20. Horn
21. Wind Screen Wipers
22. Bulb Horn
23. Speedometer
24. Rear View Mirror
25. Instruments and Gauges
26. Paint Work
27. Upholstry cushoins and curtains
28. Tool Box
29. Spare Wheel
30. Luggage carrier and Tarpaulin
31. Taxi meter (For Motor Cabs)
32. Body and Doors
33. Cat's eye reflectors.

PART-IV,

GENERAL

Note.—State Yes/No. against each item.

1. Part B permit exhibited
2. Fare Table exhibited
3. Time Schedule exhibited
4. Blue Print of seating arrangements exhibited inside stage carriage.

5. Registration marks exhibited properly
6. First Aid Box provided
7. Fire Extinguisher provided
8. Complaint Book provided
9. Particulars (weight, tyre size etc.) displayed in the left side of the body

1. Certificate of fitness refused for the defects stated above and for the following reasons.
2. Certificate of fitness has accordingly been impounded.
3. The Vehicle may not be driven until the certificate of fitness is renewed except to such an extent as may be necessary in connection with the remedying of the defects and then carried for hire and reward other than goods required in connection with the repair of the vehicle.

Place

Signature

Date

(Inspecting Officer)

Name

Designation

(a) The applicant has produced the notification No..... issued by Government of Himachal Pradesh/Central Government exempting the vehicle from the provisions regarding overall dimensions/weights.

(b) The defects shown at item No..... in Part III have been rectified.

Place

Signature

Date

(Inspecting Officer)

Name

Designation

The Motor vehicle complies with all the requirements of the Motor Vehicles Act, 1988 and the rules made thereunder. The certificate of fitness is hereby issued/renewed for a period of months, valid from to

Place

Signature

Date

(Inspecting Officer)

Name

Designation

Instructions of inspecting staff points to look for in the inspection of a vehicle:—

1. Engine :

- (a) Check engine for easy starting
- (b) Check if any noise in engine such as piston main hearing connecting rod, bearing of loose tappet.
- (c) Check if engine gives exclusively smoke, due to poor compression or defective fuel injection pump or injectors.
- (d) Check the Water body.
- (e) Check fan belt and its play.
- (f) Check the air cleaner.
- (g) Check the silencer pipe.
- (h) Any other defect.

2. Transmission :

- (a) Check clutch Pedal free pay.
- (b) Check clutch and brake pedals bushes for some play.
- (c) Check the slipping of the clutch plate.
- (d) Check whether the gears are shifted smoothly when the clutch pedal is pressed.
- (e) Check any noise in the gear box.
- (f) Any other defect.

3. Propeller shaft and Universal Joints :

- (a) Check the propeller shaft centre bearing Wear oil seals for wear.
- (b) Check all the universal joints and yokes for ear.
- (c) Check the splines of the propeller shaft for war.
- (d) Any other defect.

4. Differential :

- (a) Check the backlash between level opinion and crown wheel and any noise in the differential.
- (b) Any other defect.

5. Front Axle :

- (a) Check the king pins and bushes play after jack up of the front axle in the centre.
- (b) Check front wheel bearing play.
- (c) Check front shock absorbers.

6. Steering :

- (a) Check the steering backlash.
- (b) Check the tie rod ends.
- (c) Check drag link and drop arm ends.
- (d) Check steering box foundation nut bolts.

7. Road Springs and suspension :

- (a) Check the alignment of the road springs if they require retentioning.
- (b) Check hanger brackets and shackles pins for wear.

8. Electric System :

- (a) Check the self starter and byname working.
- (b) Check the head light and dipper.
- (c) Check the parking lights and electric indicator.
- (d) Check the wiper.
- (e) Check the electric horn.
- (f) Check tail and stop lights.
- (g) Check amps meter charging.
- (h) Check the battery terminals and poles.

9. Instruments and Gauges :

- (a) Check the air pressure vacuum gauges.
- (b) Check the oil pressure gauges.
- (c) Check the speedometer/technograph while road test.
- (d) A rear view mirror to be fitted near the driver door.
- (e) Two cat eyes reflectors to be fitted in the front and the rear of the vehicle.

10. Tyres :

- (a) Check the condition of the tyres and tread wear, check the spare wheel of the vehicles.

11. Final Road Test :

Each vehicles should be tested on road and the following items should be checked:—

- (a) Check the efficiency of foot and hand brakes.
- (b) Working of Speedometer.

12. Condition of body of stage Carriage :

The length, width, height, rear overhang and the overall length of the transport vehicles should be according to the permissible dimensions as per the motor vehicles rules. The stage and transport vehicles should be built according to the approved drawing of the State Transport Department.

13. Particulars to be displayed on left side of body :

- (a) Name of the owner.
- (b) Class of the vehicles.
- (c) U.L.W.
- (d) R.L.W.
- (e) F.A.W.
- (f) R.A.W.
- (g) Tyre size.

It is certified that the above referred particulars from serial Nos. 1 to 13 have been personally checked and found in order/not in order by me.

(Signature of the Inspecting Authority
Testing Station with Seal).

HP FORM XV C.R.TEM**[Rule 42 (4) and (5) of the Himachal Pradesh Motor Vehicles Rules, 1991]****TEMPORARY CERTIFICATE OF REGISTRATION**

	FOIL B	FOIL A
Book No.....	Book No.	Book No.
Serial No.	Serial No.	Serial No.
Govt. of Himachal Pradesh.	Govt. of Himachal Pradesh.	Govt. of Himachal Pradesh
Issued by.....	Issued by	Issued by
Owner's name and address	Owner's name and address...	Owner's name and address
.....
.....
Description of Vehicles	Description of Vehicles	Description of Vehicles
Make.....H.P.....	Make.....H.P.....	Make.....H.P.....
Engine No.....	Engine No.....	Engine No.....
Type of body.....	Type of body.....	Type of body.....
Colour.....	Colour.....	Colour.....
Temporary Registration Mark/assigned to the Vehicle.	Temporary Registrtrtion Mark/assigned to the Vehicle.	Temporary Reigstration Mark/assigned to the Vehicle.
P.....	P.....	P.....
Place in which the Vehicle is to be permanently registered.....	Place in which the vehicle is to be permanently registered.....	Place in which the vehicle is to be permanently registered.....
.....	Valid for ten days from the.....
Date of issue of Temporary Certificate.....	(Issuing Authority)
.....	Date.....
Valid upto the.....	Copy forwarded to the District Magistrate,.....	This temporary certificate is valid upto the.....19)
.....for information.	Only and the vehicle must be presented for permanent egistration before that date.

(Date)**(Issuing Authority)**

HP FORM XVI R. TEM.

[Section 130 (1) of the Motor Vehicles Act, 1988 and Rule 46 of the Himachal Pradesh Motor Vehicles Rules, 1991]

**RECEIPT OF CERTIFICATE OF REGISTRATION AND CERTIFICATE OF FITNESS
OF A TRANSPORT VEHICLES**

I have taken possession of the certificate of registration and the certificate of fitness hereunder described :—

Registration No.....
Chassis No.....
Seating capacity including driver.....
Last date of expiry of the certificate of fitness.....
Name of holder.....
Father's name.....
.....

2. The holder is hereby exempted from the obligation to produce his certificate of registration and the certificate of fitness.

3. This receipt is valid until the day of 19 .., or until the licence has been suspended or cancelled by competent authority, whichever is sooner.

(Date)

1
.....

1 Signature and designation of the authority granting or extending the receipt.

HP FORM XVII FORM C.R.T.I.

[Rule 48 (2) of the Himachal Pradesh Motor Vehicles Rules, 1991]

**COMMUNICATION TO ORIGINAL REGISTERING AUTHORITY OF TRANSFER
OF OWNERSHIP OF A MOTOR VEHICLE**

To

The Registering Authority,

.....

Motor Vehicle No.....

1 in the name of.....

has, with effect from the..... day

of..... 19 .., ..

been transferred to the name of.....

2 son of..... of 3 ..

.....

The other party to the hire purchase agreement has consented to the transfer, and has entered into an agreement of hire purchase in respect of the vehicle with the transferee ⁴.

Registering Authority,

(Date)

- ¹ Here enter registration mark.
- ² Here enter full name of transferee.
- ³ Here enter address of transferee.
- ⁴ Strike out, if inapplicable.

HP FORM XVII L.R.I.

[Section 47 of the Motor Vehicles Act, 1988 and rule 49 of the Himachal Pradesh Motor Vehicles Rules, 1991]

INTIMATION OF ASSIGNMENT OF NEW REGISTRATION MARK AND CALL FOR RECORDS FROM ORIGINAL AUTHORITY

From

The Registering Authority,

.....

To

¹
.....

I hereby assign the registration mark to the motor vehicle previously registered as.....

The new mark shall within ten days of the issue of this notice be affixed to the vehicle in the place of the old, in the manner prescribed.

Registering Authority,

(Date)

Copy forwarded to the Registering Authority.....
.....for information. It is requested that the registration records of the vehicle or a certified copy of the same be transferred to this office.

Registering Authority,

(Date)

- ¹ Here enter full name and present address of owner.

If the vehicle is the subject of a hire-purchase agreement, a copy of this letter should be sent to the hire-purchase company.

HP FORM XIX H.P. ENTRY

[Rule 53 of Himachal Pradesh Motor Vehicles Rules, 1991 and Section 51 (10) AND (11) of the Motor Vehicles Act, 1988]

FORM OF INTIMATION OF ENTRY OF HYPOTHECATION OF VEHICLE IN THE CERTIFICATE OF REGISTRATION TO THE FINANCIER

From

The Registering Authority (M.V.)

.....

To

.....

..... (Name and address of the financier).

No.....

Dated.....

The Motor Vehicle bearing Engine No....., Chasis No.
..... Modelhas been registered with this
office in the name of.....
resident of.....has been assigned
Regular Mark..... The following entries have
been made in the certificate of registration on the basis of request/consent given by you.

1.

2.

3.

(Registering Authority)
Motor Vehicle.

HP FORM XX S.R.V.

(Rule 54 of the Himachal Pradesh Motor Vehicles Rules, 1991 and Section 62 of the Motor Vehicles Act, 1988)

FORM OF INTIMATION REGARDING STOLEN/RECOVERED VEHICLES

From

.....

.....

.....(Name of Police Station/I/C).

To

The Director Transport,
Himachal Pradesh, Shimla.

No.....
Dated.....

Sir,

The following particulars of stolen/recovered vehicle are forwarded for your information and record :—

1. Serial No.
2. Registration mark
3. Name of owner and his address
4. Type, Model and class of vehicle
5. Engine No.
6. Chassis No.
7. Date, time and place when stolen
8. Date, time and place of recovery
9. FIR Number and date
10. Remarks.

(Signature)
(Authorised Police Officer).

Strike out whichever is not authorised applicable.

H P FORM XXI St.S.A.

[Rule 62 (1) of the H.P. Motor Vehicles Rules, 1991]

APPLICATION FOR A PERMIT IN RESPECT OF A SERVICE OF STATE CARRIAGE

To

The Regional Transport Authority,
.....

In accordance with the provisions of section 69, 70 and 80 of the Motor Vehicles Act, 1988,
I/We the undersigned hereby apply for permit under section 66 of that Act in respect of a service
of a stage carriage as hereunder set out :—

1. Full Name
2. Name of father (in the case of an individual).....
3. Address
4. Route/routes or area for which a permit is desired.....

Maximum number of vehicles (with registration marks) which it is desired to operate at any one time under the terms of the permit.....

Minimum number of vehicles which will be operated at any one time under the terms of the permit in the area or on any route or/and part of any route, and the minimum number of daily vehicle trips.....

The type or types of vehicles to be used on the service and the approximate seating capacity are :

.....vehicle of not less than.....
and not more than.....seats.

.....vehicle of not less than..... and not
more than.....seats.

.....vehicle of not less than.....
and not more than.....seats.

.....vehicle of not less than.....
and not more than.....seats.

Particulars of the time-table (s) proposed are appended.

The standard rate of fare which it is proposed to charge is.....
paise per passenger per km.

Particulars of any stage or contract carriage permit or similar authorisation under the Motor Vehicles Act, 1939 and 1988 valid in the State, held by the applicant, and details of the route over which or area in which the applicant(s) vehicles were regularly operated (i) before July, 1989 and (ii) subsequently.

Particulars of any permit of Public Motor Vehicle licence held by the Applicant in respect of the use of any transport vehicle in India during the last four years which has been the subject of an order of cancellation.....

Provided that sufficient passengers do not offer at any time, I/we desire to carry goods in these vehicles in addition to passengers on the understanding that goods will be so carried on not more than.....
of the vehicle trips on any route on any one day and that not more than.....
the accommodation for passengers in any vehicle will be replaced by goods.

I/We declare that not more than..... of these vehicles are or will be the subject of permits (other than temporary permits) for use as contract carriages.

I am/We are at present in possession of..... vehicles available for use under the permits applied for. The vehicles are my/our own property. (If the vehicles are not the property of the applicant, give particulars of the hiring agreement).

I/We desire a permit valid for..... years.

H. P. FORM XXII P.C.O. P.A.**[Rule 62(ii) of the Himachal Pradesh Motor Vehicles Rules, 1991]****APPLICATION FOR A CONTRACT CARRIAGE PERMIT****To****The Regional Transport Authority,**
.....

In accordance with the provisions of sections 69, 73 and 80 of the Motor Vehicles Act, 1988, I/We the undersigned hereby apply for a permit under section 66 of that Act in respect of a contract carriage as hereunder set out:—

1. Full Name.....
2. Father's Name.....
(In the case of an individual)
3. Address.....
4. Area for which required.....
5. Brief description of vehicle ¹.....
.....
6. Seating capacity.....
7. Particulars of service to be performed by the contract carriage (not necessary in case of a motor cab other than one used, on a hill road), and the manner in which it is claimed that the public convenience will be served.
.....
.....
.....
8. (In the case of a motor cab) District or other area which the applicant desires to have appointed as the headquarters of vehicle).....
.....
.....
9. Particulars of any stage carriage or contract carriage permit (or similar authorisation) under the Motor Vehicles Act, 1939/Motor Vehicles Act, 1988 valid in a State and held by the applicant in respect of :
 - (a) this vehicle.....
.....
 - (b) any other vehicles.....
.....
.....

10. Particulars of any permit, public motor vehicles licence or similar authorisation under the Motor Vehicles Act, 1939/Motor Vehicles Act, 1988 held by the applicant in respect of the use of any transport vehicle in India during the last four years which has been the subject of an order of suspension or cancellation.

11. I am/We are in possession of the vehicle, which is my/our own property. (If the vehicle is not the property of the applicant give particulars of the hiring agreement.

12. I/We have not yet obtained possession of the vehicle and I/We understand that the permit will not be issued until I/We have done so and have produced the certificate of registration.

13. I/We intend to drive the vehicle personally/through driver.

14. I/We desire a permit valid for.....years.

I/we hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me/us.

Date.....

Signature or thumb impression of applicant.

To be filled in by the office of the Transport Authority

1. Date of receipt.....
Circulation to members.....
2. Date of consideration at meeting.....
decision by Chairman.....granted.
3. Granted in modified form on the.....day of.....19 ..
Rejected.
4. Number of permit.....

Strike out inapplicable alternatives throughout.

¹Here state whether single or double deck fixed roof or hood only, glass windows or side curtains, in the case of a motor cab enter, accordingly and also work registration mark of any.

H. P. FORM XXIII PPSVA

[Rule 62(III) of the Himachal Pradesh Motor Vehicles Rules, 1991]

APPLICATION FOR PERMIT IN RESPECT OF PRIVATE SERVICE VEHICLE

To ¹a.

The Regional Transport Authority:—

.. In accordance with the provisions of Section 69, 76 and 80 of the Motor Vehicles Act, 1988 I/We the undersigned hereby apply for a permit under section 66 of that Act in respect of a Private Service Vehicles as hereunder.

1. Full Name.....

2. Name of father (in the case of an individual).....
3. Address.....
4. Route or routes or area for which the permit is desired
.....
.....
.....
5. Manner and purpose of carrying persons otherwise than for hire or reward or in connection with the trader's business⁽¹⁾.....
6. Brief description of vehicle and Registration Mark
.....
7. Seating capacity.....
8. A time-table is appended.....

(Alternatively):—No time-table is proposed but I undertake to run the following minimum service.

9. Particulars of any stage carriage or contract carriage permit (or similar authorisation) under the Motor Vehicles Act, 1939/Motor Vehicles Act, 1988 valid in the State and held by the applicant in respect of :

(a) This vehicle.....

(b) Any other vehicle.....

Details of any route or routes over which this vehicle was operated regularly (i) before July, 1989 and (ii) subsequently.....

10. Particulars of any permit or public motor vehicle licence held by the Applicant in respect of the use of any transport vehicle in India during the last four years which has been the subject of an order of cancellation.
.....
.....

11. (i) I/We desire to use the vehicle for the carriage of goods as and I/we apply for a vehicle permit in addition to a private service goods carriage in respect of the route, routes/or area above specified.

(ii) I/We intend to carry goods of the following description.....

12. I/We are already in possession of the vehicle which is my own property. (If the vehicle is not the property of the applicant, give particulars of the hiring agreement).

13. I/we have not yet obtained possession of the vehicle and I/we understand that the permit will not be issued until/ I/we have done so and have produced the certificate of registration.
14. I/we intend to drive the vehicle personally/through the driver.
15. I/we desire a permit valid for years.

I/we hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me/us.

(Date)

Signature or thumb impression
of the applicant.

(To be filled in by the office of the Regional Transport Authority)

1. Date of receipt ;
2. Date of publication ;
3. Date or dates of hearing of objections.....granted
.....
4. Granted in modified form on theday of19
Rejected
5. Number of permit issued

Secretary,
Regional Transport Authority.

Strike out in-applicable entries or alternative throughout.

Here give full details of business and the justification for private service vehicle.

HP FORM XXIV P.Gd.C.A.

[Rule 62 (iv) of the Himachal Pradesh Motor Vehicles Rules, 1991]

APPLICATION FOR A GOOD CARRIAGE

To

The Regional Transport Authority.....

In accordance with the provisions of sections 67, 77 and 80 of the Motor Vehicles Act, 1988. I/we the undersigned hereby apply for a goods carriage permit under section 66 of the Act as hereunder set out:—

1. Full Name.....
2. Father's Name (in the case of an individual).....
.....
3. Address
.....

4. Route, Routes or area for which the permit is desired :

5. Type and capacity of vehicles including trailer and alternative trailers of articulated vehicle.

Number of vehicles	Type	Load capacity l (Kgs)	Laden weight l (Kgs)	Registration Marks
--------------------	------	--------------------------	-------------------------	--------------------

Note 1.—If any of the vehicles not in the possession of applicant in will surface if the figures in columns 3 and 4 are correct within ten per cent above or below, subject to any limitation of weight in force. The certificates of registration must be presented to the Transport Authority so that the registration marks may be entered in the permit before the permit is issued.

Note 2.—If the application is in respect of a larger number of vehicles than can be specified above an additional schedule may be appended to the form.

6. Full particulars of the service to be performed by the vehicles and the manner in which claimed that the public convenience will be served.
7. Particulars of any goods carriage permit or public motor vehicle licence held by the applicant at present at or any time during the last two years and the maximum and maximum rates charged for the carriage of goods with details of area over which the vehicles have been regularly operated.

(*Note.*—If the particulars are extensive append a further statement)

.....

9. Particulars, other than particular furnished under item 7, of any agreement or arrangement affecting in any material respect the provision within the region of the Regional Transport Authority of facilities for the transport of goods for hire or reward entered into by the applicant with any other person by whom such facilities are provided, whether within or without the region.

.....

10. I/we desire to use the vehicle or vehicles as..... for the carriage of goods which are my/our own property or the carriage of which is incidental to my/our business of
11. The goods which I/we desire to carry as goods carriage
12. I/we forward herewith the certificate of registration of the vehicles, (or) I/we will produce the certificate of registration of the vehicles before the permit is issued.

H P FORM XXV P.A.

[Rule 62 (V) of the Himachal Pradesh Motor Vehicles Rules, 1991]

APPLICATION FOR A TEMPORARY PERMIT

To
The Regional Transport Authority,

In accordance with the provisions of Sections 66 and 87 of the Motor Vehicles Act, 1988. I/we the undersigned hereby apply for a temporary permit under section (66) of the Act as hereunder set out:—

1. Full Name
2. Father's Name
(in the case of an individual)
3. Address
4. Purpose for which permit is required
5. Route or Routes
6. Period of duration of permit : from..... to
7. Type and laden weight/seating capacity of the vehicle or vehicles for which the permit is required.

8. (1) The registered owner(s) of the vehicle (s) is/are

..... and
the registration mark(s) is/are

(2) The vehicle has/vehicles have not yet been hired by me/us and I/we undertake to intimate the registration marks, if required, within twenty-four hours of hiring the vehicle/vehicles.

9. Number and date of any regular permit issued in respect of the vehicle, with designation of issuing authority.

I/we hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me/us.

*Signature of thumb impression
of applicant(s).*

To be filled in the office of the Transport Authority.

1. Date/receipt
2. Granted Granted in modified from on the
..... day of Rejected.
3. Permit number
4. Registration mark(s) of vehicle (s) intimated after issue.

*Secretary,
Regional Transport Authority.*

(1) Strike out inapplicable alternatives throughout.

H P FORM XXVI P.SP.A.

[Rule 62 (vi) of Himachal Pradesh Motor Vehicles Rules, 1991]

APPLICATION FOR A SPECIAL PERMIT IN RESPECT OF A CONTRACT CARRIAGE

To

The State Transport Authority,
Himachal Pradesh.

In accordance with the provisions of sub-section (8) of section 88 of the Motor Vehicles Act, 1988, I, the undersigned hereby apply for a special permit in respect of a public service vehicle as hereunder set out :

1. Full Name ;
2. Age ;

3. Father's Name :
(in case of an individual)
4. Permanent address :
5. Route or routes or area for which permit is desired with intinerary :
6. Period for which permit is required :
7. Registration)mark of the vehicles :
 - (a) Engine No. :
 - (b) Chassis No. :
 - (c) Vehicle is taxed upto in the state of :
 - (d) Particulars of taxes paid to other states :
8. Seating Capacity :
9. Particulars of the permit if any, under which the vehicle is already covered and the authority by whom it is issued :
10. Total number of persons proposed to be carried :
(details of names, addresses and age attached)

*Signature of thumb-impression
of the applicant.*

H P FORM XXVII P.St.S.)

[Rule 65 (1) of the H P Motor Vehicles Rules, 1991]

PERMIT IN RESPECT OF A SERVICE OF STAGE CARRIAGES

PART 'A'

(Full permit to be kept by holder)

REGIONAL TRANSPORT AUTHORITY, HIMACHAL PRADESH, SHIMLA-3.

No. ST-S.....

1. Name of holder
2. Father's Name
3. Address
4. Route/Area for which the permit is valid

(The entries above are subject to the condition in entry 16 below).

5. Type or types and Registration Mark(s) of vehicle to be used on the service and the approximate seating capacity :—

..... Vehicles of not less than.....and not more than
.....seats.

- Vehicles of not less than and not more than
..... seats.
- Vehicles of not less than and not more than
..... seats.
6. Date of expiry.....
 7. Maximum and minimum fares, if fixed under section 67 of the Act.....
 8. Particulars of time-table to be observed, if any.....
 9. Whether goods may be carried on any or all of the vehicles solely or in addition to passengers, and the conditions subject to which goods may be carried.....
 10. A larger number of passengers than the number specified in the certificate of registration shall not be carried in any of the vehicles at any one time.
 11. A conductor shall be carried on the vehicles at all times when they are in stage carriages or contract carriages.
 12. Whether the fare-table is to be exhibited on the vehicle.....
 13. Whether the time-table is to be exhibited on the vehicles.....
 14. The records to be maintained and the dates on which returns and to be made to the Transport Authority.....
 15. This permit shall to the extent specified in entry 9 above be deemed to be goods carriers permit.
 16. Not more than..... vehicles of the service may be used by the holder of the permit as contract carriage within the areas hereinafter specified and subject to the following conditions:—
.....
.....
 17. When the vehicles are not in use they shall not be halted in any public place except at a stand or parking place appointed by a competent authority under section (117) of the Act.
 18. (1) A vehicle of the service permitted by entry 16 above to be used as a contract carriage may be used as such outside the area specified in entry 16 above or other areas or routes in respect of the permit has been granted or provided that on each occasion where the holder of the permit seeks so to use a vehicle he obtains a special permit from the competent authority.
 - (2) No special permit shall be made valid for more than one outward and return trip and not more than one special permit shall be issued at any one time, nor shall any special permit allow the holder to enter into an engagement with a fresh hirer in respect of the return journey.
 - (3) The provisions of the Act and rules regarding the carriage and production of permits shall apply equally to any special permit issued, conformity with this condition.
 19. The fees payable for this permit shall be paid on the due dates, as laid down in rule 68 of the H.P. Motor vehicle Rules, 1991.
 20. Other special conditions.....
 21. This permit does not entitle the holder to use any vehicle belonging to the service as a stage carriage on any road in respect of which the Regional Transport Authority

concerned may have made an order limiting the number of stages carriages permitted to operate thereon, unless the road is specifically mentioned in entry 4 above.

22. This permit does not entitle the holder, except to the extent indicated here, to use any vehicle belonging to the service as a contract carriage or as goods vehicle on any road in respect of which the Regional Transport Authority concerned may have made an order limiting the number of contract carriages or goods vehicles (as the case may be) permitted to operate thereon.
23. The holder of this permit shall exercise such supervision over the work of his employees as is necessary to ensure that the vehicle is operated comfortably with the Act and rules made thereunder and with due regard for the comfort, convenience and safety of any passengers carried

Date.....

Secretary,
Regional Transport Authority,
Shimla-1.

RENEWALS

This permit is hereby renewed upto... the day of..... 19
.....subject to the following further conditions :—

It is effective also upto the date above written, and subject to any conditions attached to the previous countersignature, in the following regions :—

Date.....

Secretary,
Regional Transport Authority,
Shimla-1.

COUNTER SIGNATURE

.....Transport Authority.....
No. P. St. S..... Countersigned for (Route/Area)
.....subject to the following variation of conditions :—

Date.....

Secretary,
Regional Transport Authority,
Shimla-1.

RENEWAL OF COUNTER SIGNATURE

This countersignature is hereby renewed upto the..... day of
..... 19.....
(Date.....

Secretary,
Regional Transport Authority,
Shimla-1

PART-B

SUMMARY TO BE EXHIBITED ON EACH VEHICLE

Regional Transport Authority.....

Stage Carriage Service Permit No. P.St.S.....

1. Name and address of holder.....

2. (1) Registration Mark(s).....(2)
Type of vehicle (s).....3. Capacity not less thanseats, not
more than.....4. Route or area :—
(i) in the region of issuing authority.....
(ii) in other regions.....

5. Date of expiry.....

6. Conditions :—
(i) carriage of goods.....
(ii) use as a contract carriage :—
(a) Within the region.....
(b) Outside the region.....(iii) Fares :—
(a) Rate.....
(b) Whether fare-table, is to be displayed.....(iv) Time table :—
(a) To be observed.....
(b) To be displayed.....

(v) Other special conditions.....

Date.....

Secretary,
Regional Transport Authority,
Shimla-1.

RENEWALS

Renewed upto.....19 .

Date.....

Secretary
Regional Transport Authority,
Shimla-1.

COUNTER SIGNATURE

Regional Transport Authority.....
No.P.St.S.
Subject to

(Here paste receipt from the Registering Authority for the payment of fee for the counter signature)

Date.....

Secretary,
Regional Transport Authority,
Shimla-1.

RENEWAL OF COUNTER SIGNATURE

Countersignature renewed upto.....19 .
Date.....

Secretary,
Regional Transport Authority,
Shimla-1.

(Repeat countersignature and renewal of Countersignature daily)

Notes on Form P.St.S-Part A Entry.4.—One form should be used for a single route or area or connected routes. Otherwise different permits should be granted for different routes or areas.

Part B Entry 3.—The summaries should each refer to one vehicle only by capacity, but not a particular vehicle by registration mark.

1. One copy of the summary to be issued for each vehicle covered by the permit.
2. Here enter the number of the permit and in brackets, the serial number upto the total number of vehicles.

H P FORM XXVIII P.CO.C

[Rule 65 (II) of the Himachal Pradesh Motor Vehicles Rules, 1991]

GOVERNMENT OF HIMACHAL PRADESH

CONTRACT CARRIAGE PERMIT

PART-A

(Full permit to be kept by the holder)

No.P.Co.C.....

Regional Transport Authority

1. Name of holder

2. Father's Name
3. Address
4. (1) Registration mark.....
(2) The Vehicle is held under hire-purchase agreement
with
5. Maximum number of passengers which may be carried at any one time.
6. Routefor which the permit is valid
Area.
7. (In the case of motor cab only).—The Headquarters of the vehicle shall be the District/
Area of

No passenger shall be taken into the vehicles at any place outside the district/area mentioned, unless he applies and contracts to be carried the whole way from that place to some point in the said district/area.

8. (In the case of contract carriage other than a motor cab) ;—
(1) The vehicle may be used as a contract carriage outside the area specified in entry 6 above or other area in respect of which this permit has been countersigned: provided that on each occasion when the holder of the permit seeks so to use the vehicle he will obtain a special permit from the competent authority.
(2) No special permit shall be made valid for more than one out ward and return trip and not more than one special permit shall be issued at any one time nor shall a special permit allow the holder to enter into an engagement with a fresh hirer in respect of the return journey.
(3) The provisions of the Act and rules regarding the carriage and production of permit shall apply equally to any special permit issued in conformity with this condition.
9. Date of Expiry
10. Rate of fare per Kilometre in the case of a motor cab only.....
11. Whether a taximeter is to be fitted and (if so) the type (in the case of motor cab only).
.....
12. The fees payable for this permit shall be paid on the due dates as laid down in rule 68 of the Himachal Pradesh Motor Vehicles Rules, 1991.
13. Any other conditions.....
.....
.....
14. Records to be maintained and the date on which returns are to be made to the Transport Authority.
.....
.....
.....

RENEWAL OF COUNTERSIGNATURE

The above countersignature is hereby renewed upto day
of 19 . subject to the following conditions ;—

.....
.....
.....
.....

Date

Secretary,
Regional Transport Authority,
.....

RENEWAL

Renewed upto 19 .

Date

Secretary,
Regional Transport Authority,
.....

COUNTERSIGNATURE

Regional Transport Authority.....

No.P.Co.C.....

Countersigned for..... subject
to.....

.....

Date

Secretary,
Regional Transport Authority,
.....

RENEWAL OF COUNTERSIGNATURE

Countersignature renewed upto 19 .

Date

Secretary,
Regional Transport Authority,
.....

PART B

SUMMARY TO BE EXHIBITED ON THE VEHICLE

- Regional Transport Authority.....
 Contract Carriage Permit No.P.CO.G.....
1. Name and address of holder
 2. Type of vehicle
 3. Registration mark
 4. Date of Expiry.....19 ..
 5. Conditions :—
- (a) Route/Area.....
 - (b) Maximum number of passengers.....
 - (c) Fares :—
 - (i) Rate
 - (ii) Whether fare-table to be displayed.....
 - (d) Type of taximeter, if any.....
 - (e) Any other conditions.....

Date

Secretary,
 Regional Transport Authority,

H. P. FORM XXIX P.P.S.V.

Rule 65 (III) of the Himachal Pradesh Motor Vehicles rules, 1991.

GOVERNMENT OF HIMACHAL PRADESH

PERMIT IN RESPECT OF PRIVATE SERVICE VEHICLE

PART-A

(Full permit to be kept by holder)

No. PPSV.....

- Regional Transport Authority.....
1. Name of holder.....
 2. Father's Name.....
 3. Address.....
 4. (a) Registration mark.....
 - (b) The vehicle is held under a hire purchase agreement with.....

5. Maximum number of passengers which may be carried at any one time.....
6. A Conductor shall be carried on the vehicle at all times when it is in use as a stage carriage or contract carriage(s).
7. Routes/Area(s) for which the permit is valid.....
8. Date of expiry.....
9. Manner and purpose of carrying persons.....
10. Particulars of time table to be observed, if any (2)
11. Whether the time-table is to be exhibited on the vehicle.....
12. The records to be maintained and the dates on which returns are to be made to the Transport Authority.....
13. When the vehicle is not in use it shall not be halted in any public place except at a stand or parking place appointed by a competent authority under section 117 of the Act.
14. The fees payable for this permit shall be paid on the due dates as laid down in rule 68 of the Himachal Pradesh Motor Vehicles Rules, 1991.
15. Any other conditions.....
16. Under the provisions of the Himachal Pradesh Motor Vehicles Rules 1991, this permit is valid also in the regions and subject to the conditions set out below.

Region	Route (1)/ Area	Conditions
--------	-----------------	------------

17. This permit does not entitle the holder to use the vehicle as a stage carriage on any road in respect of which the Regional Transport Authority concerned may have made an order limit to the number of stage carriage permitted to operate therein, unless the road is specifically mentioned in entry 7 above
18. This permit does not entitle the holder, except to the extent indicated here, to use the vehicle as a contract carriage or as goods vehicle on any road in respect of which the Regional Transport Authority concerned may have made an order limiting the number of contract carriages or goods vehicles (as the case may be) permitted to operate thereon.....

19. The holder of this permit shall exercise such supervision over the work of his employees as is necessary to ensure that the vehicle is operated conformably with the Act and the rules made thereunder and with the regard for the comfort, convenience and safety of the public and of any passengers carried.

Date

Secretary,

Regional Transport Authority.

RENEWALS

This permit is hereby renewed upto theday of.....19 ..

It is effective also upto the date above written and subject to any conditions attached to the previous countersignature in the following regions :—

Date

Signature,

Regional Transport Authority.

COUNTERSIGNATURE

Countersigned as required by section 88 of the Motor Vehicles Act, 1988, for

()—subject to the following variation of conditions:—

Date

Secretary,

Regional Transport Authority.

(1) Here enter the name of the State.

(2) Here enter brief particulars, e.g. two trips each way daily "or" vide time-table appended.

PART-B

SUMMARY TO BE CARRIED ON THE VEHICLE

PPSV.....

Transport Authority, Himachal Pradesh

1. Name and address of holder :
2. Registration mark :
3. Date of expiry :
4. Conditions ;—
 - (a) Route
 - (b) Number of passengers
 - (c) Whether time-table is to be:—
 - (i) observed.
 - (ii) displayed.
 - (d) Other special conditions.

Date

Secretary,

Regional Transport Authority.

RENEWAL

Renewed up.....19 .

Secretary,

Regional Transport Authority.

COUNTERSIGNATURE

Countersigned for

Date

Secretary,

Regional Transport Authority.

RENEWAL OF COUNTERSIGNATURE

Renewed upto.....19 .

Date.

Secretary,
Regional Transport Authority.

H P FORM XXX P.Gd. C.

[(Rule 65 (iv) of the Himachal Pradesh Motor Vehicles Rules, 1991.)

GOODS CARRIAGE PERMIT

PART-A

(Full permit to be kept by the holder)

..... Regional Transport Authority.

No. P. Gd. C.....

1. Name of holder.....
2. Father's Name.....
3. Address ::
.....
4. Route/Area for which permit is Valid
5. Type and capacity of vehicles, including traders and the alternative articulated vehicles:—

Number of Vehicles	Model	Type	Load capacity Kgs.	Laden weight	Registration marks	Engine No.	Chassis No.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Note—Of the above, the vehicles described below by their registration marks are held under a hire purchase agreement with.

6. Date of expiry.....19 .
7. The records to be maintained and the dates on which returns are to made to the Transport Authority.....
8. The fees payable for this permit shall be paid on the dues dates laid down in rule 68 of the Himachal Pradesh Motor Vehicles Rules, 1991.
9. Conditions :
10. The vehicle(s) authorised by this permit may be used by the holder as a Goods carrier within the area of.....for the purpose of carrying the following goods:
 - (a) For or in connection with a trade or business carried only the holder
.....
 - (b) For the carriage of other goods.....
11. Under the provisions of rule 66 of the Himachal Pradesh Motor Vehicles Rules, 1991, this permit is valid also in the regions and subject to the conditions set-out below ;

Region

Route/Area

Conditions

12. This permit does not entitle the holders, except to the extent specified here, to use the vehicle on any road in respect of which the Regional Transport Authority concerned may have made an order limiting the number of transport vehicles permitted to operate thereon.
13. The holder of this permit shall exercise such supervision over the work of his employees as is necessary to ensure that the vehicle is operated conformably with Act and the Rules made thereunder and with due regards for the comforts convenience and safety of the public.

Date.....

Secretary,
Regional Transport Authority.

RENEWAL

Renewed upto19, subject to.....
.....also valid in
.....

Date

Secretary,
Regional Transport Authority
.....

COUNTERSIGNATURE

.....Transport Authority.

No. P.Gd. C.....

Countersigned for the area of.....subject to

(Date)

Secretary,

Regional Transport Authority

RENEWAL OF COUNTERSIGNATURE

The above countersignature is hereby renewed upto the.....day
of.....19 , subject to the following conditions.

(Date)

Secretary,

Regional Transport Authority.

PART B

SUMMARY TO BE CARRIED ON THE VEHICLE

.....Regional Transport Authority.

Goods carrier's permit No. P.Gd. C.....(1)

1. Name and address of Holder.....

2. Registration Mark.....

3. Route or area.....

4. Date of expiry.....19

5. Conditions.....

6. Authorised for carriage of Goods.....

(i) for or in connection with a trade or business of the holder.

(ii) for the carriage of other goods.

In the area of _____

Date _____

Secretary,
Regional Transport Authority,
.....

Here enter permit number and renewal number upto total. Add the letter "T" in the case of these copies referring to transfers.

RENEWAL

Renewed upto.....19 . subject to.....

.....

Also valid in.....

Date _____

Secretary,
Regional Transport Authority
.....

COUNTERSIGNATURE

.....Transport Authority

.....

No. P.Gd. C.....

Countersigned for the region of.....subject to

.....

.....

.....

Date _____

Secretary,
Regional Transport Authority.

RENEWAL OF COUNTERSIGNATURE

Countersignature renewed upto.....19 .

Date

Secretary,
Regional Transport Authority.

H.P. FORM XXXI P-TEMP

[See rule 65(v) of the H.P. Motor Vehicles Rules, 1991]

GOVERNMENT OF HIMACHAL PRADESH

TEMPORARY PERMIT

Permit No.....

Dated.....

Permit fee Rs.....

REGIONAL TRANSPORT AUTHORITY, SHIMLA, HIMACHAL PRADESH

1. Name of holder.....
2. Father's name.....
3. Address.....
4. Type of vehicle.....
5. Registration mark.....Laden Weight : As per R.C.
6. Purpose for which the vehicle's permit is valid : for the carriage
.....
.....
7. (a) (i)Route or area for which the permit is valid ;
(ii) Within region.....Outside the region ;
(b) In the case of passenger's vehicle, Maximum number of passengers which may be carried at any one time ;
(c) Whether a cleaner must be carried in the rear of the vehicles ;
(d) Whether the vehicle may be used for carriage of goods in place of passenger ;

- (e) Freight : Whether rates prescribed :
- (f) Whether tables to be displayed
- (h) Restriction on the type of goods which may be carried out :
- (i) Any other conditions ;
8. Date of validity ; From.....to.....
9. This permit does not entitle the holder except to the extent indicated hereto to use the vehicle on any road in respect of which the State Transport Authority/Regional Transport Authority may have made an order limiting the number of transport vehicles permitted to operate thereon.
10. The holder of this permit shall exercise such supervision on the work of his employees as is necessary to ensure that the vehicle is operated conformably with the Act and Rules made thereunder and with due regard for the comfort, convenience and safety of the public or the passenger under and with due regard the comfort, convenience and safety of the public or the passengers carried.
11. A log/complaint book shall be maintained and freight charged be indicated in it invariably.

*Secretary,
Regional Transport Authority.*

H.P. FORM XXXII RP. Sp P.

SPECIAL PERMIT

Section 88(8) of the Motor Vehicle Act, 1988 and rule 65(vi) of the H.P. MOTOR Vehicle Rules, 1991).

1. Engine No.....
2. Classis No.....
3. Registration No.....
- Registered by the Registering Authority.....and owned by.....son of.....
- (permanent address).....
- Covered by permit No.....dated.....
- issued by the State/Regional Transport Authority.....

has been engaged by the person/persons, whose particulars are given below :—

Full name and name of father or husband	Age	Place of residence
--------------------------------------------	-----	-----------------------

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.

The above person/persons will be visiting the following places :—

.....

This permit is valid upto.....

Certified that in respect of the vehicle mentioned above, all taxes and fees payable in this State upto the date of expiry of this permit have been paid.

This permit is valid throughout India without countersignature by any other Regional/State Transport Authority. It shall be produced on demand by any police officer in uniform.

Signature of the Issuing Authority.

The validity of this permit is extended upto.....During this period the party may visit the following places also.

.....

Signature of the Competent Authority.

Notes :

- (1) The period of validity of the permit shall not exceed three months. Extensions may be guaranteed for a maximum period of one month.
- (2) The competent authority shall mean the Regional Transport Authority which issued the permit of the Regional Transport Authority of the region in which the party happens to be at the time of applying for extension, whichever is nearer. While granting extension the Competent Authority shall satisfy that all taxes and fees payable upto the period extension have been paid by the applicant.

IMPORTANT

The issuing authority may please cross out all the blank columns not utilised.

H P FORM XXXIII P. Gd. C.

NATIONAL PERMIT FOR GOODS CARRIAGES CARRIER

[Rule 65 (vii) of the H.P. Motor Vehicles Rules, 1991]

PART-A

(Full permit to be kept by the holder)

HIMACHAL PRADESH STATE TRANSPORT AUTHORITY, SHIMLA

No. N. P. Gd. C.....

1. Name of the permit holder.....
2. Father's Name.....
 (In case of an individual or the status in other cases).
3. Address.....

4. Name of States/Union Territories for which the permit is valid

.....

5. Type and capacity of vehicles including trailer and the alternative articulated vehicles :—

Number of vehicles	Type	Load capacity (Kg.)	Laden weight (Kg.)	Registration marks
--------------------	------	---------------------	--------------------	--------------------

6. Valid fromto.....

7. The records to be maintained and the dates on which returns are to be sent to the Transport Authority

8. Nature of goods to be carried in the vehicle.....

9. Conditions attached to the permit.

10. The holder of this permit shall exercise such supervision over the work of his employees as is necessary to ensure that the vehicle is operated in conformity with the Act and the Rules made thereunder and with due regard to the comfort, convenience and safety of the public.

Date.....

Secretary,
 State Transport Authority,
 Himachal Pradesh, Shimla.

Renwed upto19 subject to the conditions.....

Also valid in.....

Date

Secretary,
 State Transport Authority,
 Himachal Pradesh, Shimla.

FORM N.P. Gd. C.**PART-B****SUMMARY TO BE CARRIED ON THE VEHICLES****HIMACHAL PRADESH STATE TRANSPORT AUTHORITY, SHIMLA**

Goods Carriages Permit No. N.P.Gd.C.....

1. Name of the permit holder.....
2. Registration mark of the vehicles.....
3. States for which the permit is valid.....
4. Valid from.....to.....
5. Conditions attached to the permit.....

Date.....

*Secretary,
State Transport Authority,
Himachal Pradesh, Shimla.*

RENEWAL

No. N.P.Gd.C.....

Renewed upto.....19..from.....19.....
subject to the condition

also valid in.....

Date :.....

*Secretary,
State Transport Authority,
Himachal Pradesh, Shimla.*

HP FORM XXXIV R.P.F.

(Rules 67, 68 & 69 of the Himachal Pradesh Motor Vehicles Rules, 1991)

GOVERNMENT OF HIMACHAL PRADESH**RECEIPT FOR A PERMIT FEE**

Book No..... Receipt No.....

1. Number of permit or countersignature.....
2. Issued by the Regional Transport Authority.....
3. Registration mark.....

4. Name and address of the owner.....
5. Date of payment.....
6. Amount paid.....
7. Date of which next payment is due.....

Date.....

Regional Transport Authority

(To be completed in duplicate by carbon process)

LIP FORM XXXV TEMP RECEIPT

(Rule 76 of the Himachal Pradesh Motor Vehicles Rules, 1991)

FORM OF RECEIPT IN LIEU OF A PERMIT

1. No. of the permit.....Part A & B.
2. Issuing authority.....STA/RTA.
3. Area covered by the route permit.....
4. Date of expiry of the route permit.....
5. Name, parentage and full address of the permit-holder.....
6. Reasons for taking route permit in possession.....
7. Date upto which the receipt shall be valid.....
8. Registration mark of the vehicle.....

*Signature of the authority
taking the permit into
possession (with full desgn.).*

- (i) Strike out whichever not applicable.
- (ii) This receipt must be surrendered at the time of getting back the route permit.
- (iii) The receipt must be signed by the authority by whom it was issued or its period of validity is extended.
- (iv) In (vi) the reasons for taking possession are to be briefly given and where the reasons is violation of any provision of the Motor Vehicles Act, 1988 or the rule made thereunder the nature of the offence together with the relevant section or rules should also be mentioned.

H P FORM XXXVI M.V. Rep. A**(Rules 77 and 78 of the Himachal Pradesh Motor Vehicles Rules, 1991)****APPLICATION FOR REPLACEMENT OF A VEHICLE**

Application for replacement of a vehicle covered by permit/countersignature

Covered by permit/
countersignature.

To

Full name and
Address of the applicantThe State/Regional Transport
Authority, Himachal Pradesh
State.....

Region.....

I hereby apply for a replacement of the vehicle covered by the permit/countersignature held by me as hereunder set out ;—

1. Particulars of permit/countersignature held by the applicant:—

- (a) Permit/Countersignature No.....
- (b) Issued by.....
- (c) Valid form.....to.....
- (d) Type of permit.....

2. Particulars of registration of present vehicle covered by such permit/countersignature and of replacer vehicle :—

Present Vehicle

Replacer vehicle

- (i) Registration Mark
- (ii) Make
- (iii) Date of initial registration
- (iv) Type of vehicle
- (v) Seating Capacity/G.V.W.
- (vi) Validity of Certificate of Fitness
- (vii) Validity of Insurance

3. Whether the present vehicle is held under
a hire-purchase/lease-hypothecation agreement.....
..... If yes, no objection certificate
from the financier must be attached.

4. Whether the applicant is in possession of replacer vehicle.....
..... If yes, the certificate of registration must be attached, if no, the details of arrangement made/to be made to acquire the vehicle.....

5. Reasons for replacement.....

I hereby declare that the above statements are true, and that I have supplied all the information and documents necessary to support the statements made in this application.

I hereby enclose Part-A of the permit.

I herewith tender the fee prescribed in rule 77(4) of rule 78(4).

Date:

Place : *Signature of the applicant.*

Note.—Where the space is not sufficient, the applicant should furnish the informations, item-wise, on separate sheets, must sign each seet, and must attach them with the application.

Strike out whichever is either not required or not applicable.

H P FORM XXXVII Tr. P.A.

(Rule 81 of the Himachal Pradesh Motor Vehicles Rules, 1991)

APPLICATION FOR TRANSFER OF A PERMIT/COUNTERSIGNATURE

To Full name and.....

Address of the applicant(s).....

The State/Re gional Transport
Authority, Himachal Pradesh.

State..... Region.....

I/We hereby apply for a transfer of the permit/countersignature as hereinunder set out :—

1. Particulars of permit/countersignature ;

(a) Permit/Countersignature No.....

(b) Issued by

(c) Valid from.....to.....

(d) Type of permit.....

(e) Name of the permit holder.....

(f) Registration mark of the vehicle covered by the permit/countersignature.....

2. Name of transferee.....
3. Reasons for transfer.....
4. Whether any premium, payment or other consideration rising out of the transfer, is to pass or has passed between the applicants.....
.....If yes, the nature and amount of any such premium, payment or other consideration.....
5. Whether any agreement is made between the applicants for transfer of the permit.....
.....It yes, the details of such agreement.....
6. In case the transfer is required upon death of the permit holder ;—
(a) Date on which the permit holder died.....
(b) Relation between the applicant and deceased permit holder.....
.....
7. In case the transfer of a countersignature is required, whether the primary permit is transferred in the name of the applicant
If yes, the date on which such transfer is effected.....
8. Whether the vehicle covered by the permit is held under a hire-purchase/lease /hypothecation agreement.....
If yes, no objection certificate from the financier must be attached.

I/we hereby declare that the above statements are true, and that I/we have supplied all the informations and documents necessary to support the statements made in this application.

I herewith tender the fee prescribed in rule 84(1).

Date :

Place :

.....
Signature of transferee
.....

Signature of transferee.

Note.—Where the space is not sufficient, the applicant should furnish the informations, item-wise, on separate sheets, must sign each sheet, and must attach them with the application.

Strike out whichever is either not required or not applicable.

HP FORM XXXVIII T.A.P.

(Rule 94 of the Himachal Pradesh Motor Vehicles Rules, 1991)

GOVERNMENT OF HIMACHAL PRADESH

TICKET AGENT'S PERMIT

The holder of this document.....
(name and full particulars of holder).....
.....
.....
has been authorised to act as my/our agent for the sale of tickets in the public service vehicle operated by me/us.

Place.....

(Person or company giving the
authorisation).

Date:.....

BADGE NO.

DISTRICT

The holder

(name)

having been authorised as above, is hereby licensed to act as an agent for the sale of tickets throughout the (district or other area of validity), subject to the conditions in rules 93, 94, 95, 96 and 97 of the Himachal Pradesh Motor Vehicles Rules, 1991.

(Date)

Licensing Authority

.....District.

RENEWALS

Renewed upto the.....19 .

Renewed upto the.....19 .

(Date)

Licensing Authority

.....District.

HP FORM XXXIX GBA 1

(Rule 110 of the Himachal Pradesh Motor Vehicles Rules, 1991)

**APPLICATION FOR PRINCIPAL/LICENCE TO WORK AS COLLECTING AGENT
AND FORWARDING AND DISTRIBUTING AGENT****To**

The Secretary,
State Transport Authority/
Regional Transport Authority/
Sub-Divisional Officer (Civil).....

1. Full Name in Block letters.....
2. Name of father or husband.....
(in case of an individual)
3. Address.....
.....
4. Education Qualifications or experience in the management of transport business.....
.....
5. (a) Place where the applicant proposes to engage as an agent.....
.....
(b) Place where he proposes to establish his sub-agencies/offices.....
.....
6. Nature or extent of financial resources of applicant.....
.....
7. Particulars of goods vehicles either owned by the applicant or under his control :—
(a) Total number.....
(b) Make.....
(c) Model or year of manufacture.....
(d) Registration laden weight.....
(e) Registration marks.....
8. Particulars of the site and its location.....
9. Description of the premises, nature of building extent of the site etc.....
.....
10. Facilities provided by applicant for parking the goods vehicles.....
.....

11. Facilities provided by the applicant for loading and unloading goods and storage of goods.....
12. The particulars of weighing device provided at the above mentioned places.....

I am/we are fully conversant with the conditions of goods carriage permit and the provisions of the Motor Vehicles Act, 1988 and the rules made thereunder so far as they relate to the restrictions regarding the routes, weights, loading and unloading of goods and the duties and functions of agents.

I/we declare that to the best of my/our knowledge and belief the particulars given above are true and correct.

Date.....

Signature of applicant.

Place.....

Note.—This application if made to this State/Regional Transport Authority shall be accompanied by a certificate from the Sub-Divisional Officer (Civil) concerned approving the facilities provided by the applicant for parking the vehicles, loading and unloading of goods and storage of goods.

H P FORM XL GBA 2

(Rule 110 of the Himachal Pradesh Motor Vehicles Rules, 1991).

APPLICATION FOR SUPPLEMENTARY LICENCE TO WORK AS COLLECTING, FORWARDING AND DISTRIBUTING AGENT

To

The Secretary,
State Transport Authority/
Regional Transport Authority/
Sub-Divisional Officer (Civil).....

1. Full name in Block letters.....
2. Name of father or husband —.....
(in case of individuals)
3. Address..... year.....
4. Educational qualifications or Experience in the management of transport business.....
5. Principal Licence No.
6. Nature and extent of financial resources of the applicant.....
7. Particulars of goods vehicles either owned by the applicant or under his control.....
(a) Total Number.....

- (b) Make.....
- (c) Model or year of manufacture.....
- (d) Registration Marks.....
8. Particulars of the site and its location.....
9. Description of the premises nature of building, extent of the site etc.....
10. Facilities provided by the applicant for marking the goods vehicles.....
11. Facilities provided by the applicant for loading and unloading goods and storage of goods.....
12. The particulars of weighting device provided at the above mentioned places:.....

I am/we are fully conversant with the conditions of goods carriage permit and the provisions of the Motor Vehicles Act, 1988 and the rules made thereunder so far as they relate to the restrictions regarding the routes, weights, loading and unloading of goods and the duties and functions of agents.

I/we declare that to the best of my/our knowledge and belief the particulars given above are true and correct.

SIGNED THIS 13th DAY OF

Date Signature of applicant.

Place
 (Signature of Agent)

Note.—This application if made to the State/Regional Transport Authority shall be accompanied by a certificate from the Sub-Divisional Officer (Civil) concerned approving the facilities provided by the applicant for parking the goods vehicles, loading and unloading of goods and storage of goods.

H P FORM XLI GBA 3

(Rule 110 of Himachal Pradesh Motor Vehicles Rules, 1991)

FORM OF DECLARATION BY OWNER OF GOODS CARRIAGES

I/we being owner of vehicle No. covered by goods carriage permit No. do hereby solemnly declare that my aforesaid vehicle will be operated under the administrative control of for collecting and distributing goods under Himachal Pradesh Motor Vehicles Rules, 1991 and shall be available to the agent for loading and transportation of goods all the times.

Date Deponent.

H P FORM XLII GBA 4

(Rule 110 of the Himachal Pradesh Motor Vehicles Rules, 1991)

PRINCIPAL LICENCE

Full Name (In block letters).....

Name of father or husband.....

(in case of an individual).....

Address.....

.....

is licenced to engages as collecting, forwarding and distributing agent or collecting or forwarding and distributing agent and maintain sub-agencies/offices for the purpose at (1).....

(2).....

The licence is valid from..... to.....

Dated :

.....

So long as this licence is valid and renewed from time to time, the holder is authorised to use the premises, the particulars of which are given below in connection with his business subject to the provisions of rule 114 and subject to the following conditions:

Particulars of premises

Conditions.

Dated :

.....

Secretary,
State/Regional Transport Authority/
Sub-Divisional Officer (Civil).

(1) Specify the place or places where the agent's office or offices will be located.

(2) Specify the Conditions.

.....

RENEWAL

.....

The licence is hereby renewed upto :

Dated :

.....

Secretary,
State/Regional Transport Authority/
Sub-Divisional Officer (Civil).

H P FORM XLIII GBA 5**(Rule 110 of Himachal Pradesh Motor Vehicles Rules, 1991)****SUPPLEMENTARY LICENSE**

Licence No..... Dated.....

Full name (In block letters) ;.....

Name of father or husband.....
(in case of an individual)Principal Licence No.....
is licensed to engage as collecting, forwarding and distributing agent or collecting or forwarding
and distributing agent for sub-agencies at (1).

This licence is valid from.....to.....

Dated :

So long as this licence is valid and renewed from time to time, the holder is authorised to
use the premises, the particulars of which are given below in connection with his business subject
to provisions of rule 114 and subject to the following conditions :—

Particulars of premises.

Conditions

Dated :

Secretary,
State/Regional Transport Authority/
Sub-Divisional Officer (Civil).**RENEWAL**

This licence is hereby renewed upto

Dated ;

Secretary,
State/Regional Transport Authority/
Sub-Divisional Officer (Civil).

This licence is hereby renewed upto

Dated :

Secretary,
State/Regional Transport Authority/
Sub-Divisional Officer (Civil).

H P FORM XLIV GBA 6

(Rule 112 of the Himachal Pradesh Motor Vehicles Rules, 1991)

APPLICATION FORM FOR RENEWAL OF LICENCE

To :

The Secretary
State Transport Authority/
Regional Transport Authority/
Sub-Divisional Officer (Civil).....

I/we hereby apply for the renewal of my/our licence which is attached and particulars of which are as follows :—

- (a) Licence No.....
- (b) Date of issue.....
- (c) Nature of the Licence, i.e. collecting agent or forwarding and distributing agent or collecting, forwarding and distributing agent

If the application for renewal is not made thirty days before the date of expiry of the licence, reasons for the delay.

The prescribed fee of five hundred rupees in the case of principal licence and one hundred rupees in the case of supplementary licence along with the penalty amounting to..... rupees is hereby tendered by means of treasury receipt showing the deposit under the appropriate head of account.

I/We hereby declare that there is no such change in the circumstances in which the licence was issued to me/us which disqualifies me/us from continuing to hold this licence.

Date :

Place :

Signature of applicant.

H P FORM XLV GBA 7

(Rule 114 of the Himachal Pradesh Motor Vehicles Rules, 1991)

HALF YEARLY RETURN

To

The Secretary,
State/Regional Transport Authority/
Sub-Divisional Officer (Civil).

- 1. Licence No.....
- 2. Date of its grant of last renewal.....
- 3. Total number of goods carriages owned by the agent.....

4. Total number of goods carriage under the control of the agent.....
5. Number of goods carriages out of those mentioned in Nos. (3) and (4) above which are actually used during the half year :—
 - (a) For more than three months during the period.....
 - (b) For more than four months during the period.....
 - (c) For more than five months during the period.....
6. Tonnage of goods collected and delivered to the forwarding and distributing agents.

Name and address of the forwarding and distributing agents

Tonnage of goods delivered to the forwarding and distributing agent

Note .—In case of the space given above under item No. 6 not sufficient attach separate sheet.

7. Total tonnes of the goods collected, forwarded and delivered by the agent himself.
8. Maximum and minimum distance for which the goods were forwarded from the forwarding point to the delivering point.

Distance

Total tonnes

- (a) Distance not exceeding 80 kilometres.
- (b) Distance exceeding 80 kilometres but not exceeding 160 kilometres.
- (c) Distance exceeding 160 kilometres but not exceeding 240 kilometres.
- (d) Distance exceeding 240 kilometres but not exceeding 320 kilometres.
- (e) Distance exceeding 320 kilometres but not exceeding 400 kilometres.
- (f) Distance exceeding 400 kilometres but not exceeding 480 kilometres.
- (g) Distance exceeding 480 kilometres.
9. In respect of the entry made in item No. 8 (g) above specify the nature of goods (e. g.) fruits, glass, households effect, coal etc.
10. Total length of journey performed by the goods vehicles mentioned in item No. 3 and item No.4 in kilometres.
11. Maximum time taken in delivering consignment from the date of its booking by the forwarding and distributing agents :—

Time

Tonnes of the consignment

Distance from the forwarding point to the delivery point.

12. Claims received and settled:

- (1) No. of claims pending from previous half-year
- (2) No. of claims received during the period of report
- (3) Compensation claimed during the period of report
- (4) No. of claims settled during the period of report
- (5) Compensation paid during the period of report
- (6) Number of claims pending at the end of the period of report

13. Freight and commission:

Total freight in respect of the vehicles mentioned in item No.(3) above.
 Total freight released in respect of the vehicles mentioned in item No. (4) above.
 Total freight released and paid to other operators.
 Total amount of commission realised.

14. Total amount of the premium paid to insurance companies for insurance of the goods.

15. Total amount realised from the Insurance companies in respect of the claims for loss or damage of goods.

16. Maximum time for which a consignment was held by the collecting agent before delivering it to the forwarding and distributing agent.

17. Maximum time for which a consignment was held by the forwarding and distributing agent in his godown before despatch.

18. Maximum time for which a consignment was held by the forwarding and distributing agent in his godown at the distributing point before delivery to the consignee.

Date:

Signature of the agent.

H P FORM XLVI S.S.T.U.

(Rule 124 of the H. P. Motor Vehicles Rules, 1991)

(Proposal regarding a scheme of road transport service to be provided by the State Transport Undertaking)

Whereas the State Government is of opinion that for the purpose of providing an efficient, adequate, economical and properly co-ordinated road transport services in general service of motor vehicle carrying in
 in relation to the areas of
 the route on
 or portion thereof should be run and operated by the State Transport Undertaking, the Government of Himachal Pradesh in accordance with the provisions of section 99 of the Motor Vehicles Act, 1988 hereby publishes a proposal regarding a scheme of road transport service, as hereunder set out :-

1. Full name of the Undertaking.....
2. Address
3. Route/Routes or Area/Areas covered by the Scheme.....

- | Name | Address | Route(s) or area |
|------|---------|------------------|
|------|---------|------------------|

- The notice is hereby given that any person may, within 30 days from the date of publication of the proposed scheme in the official gazette, file objection thereto before the Government of Himachal Pradesh.

*By order and in the name of the Governor
of Himachal Pradesh to the Secretary,
Transport Department Government of
Himachal Pradesh.*

Date : _____

H P FORM XLVII A.S.S.T.U.

(Rule 127 of the Himachal Pradesh Motor Vehicles Rules, 1991)

**APPROVED SCHEME OF ROAD TRANSPORT SERVICE OF A STATE
TRANSPORT UNDERTAKING**

In accordance with the provisions of section 100 (3) of the Motor Vehicles Act, 1988 the following mentioned approved scheme is hereby published in the Official Gazette;—

1. Full name of the Undertaking.....
2. Address
3. Route(s) or area covered by the Scheme.....
4. The Undertaking will operate Road Transport Service on the said route(s) or area covered by the Scheme to the exclusion complete or partial, of other persons or otherwise (mention particulars in the case of partial exclusion).....
5. The nature of the services to be rendered.....
6. The maximum number of vehicles which shall ply at any one time under the Scheme
7. The minimum number of vehicles it shall ply at one time under the Scheme and the minimum number of daily vehicle trips.....
8. Type or types of vehicles to be used on the service and approximate seating capacity vehicles of not less than and not more thanseats.
9. Number of trips to be run on each route.....
10. Standard rate of fare to be charged.....
11. The date(s) from which the undertaking will operate, if date(s) are different for various routes or are as mentioned the same.....

Place :

By order and in the name of the Governor of Himachal Pradesh to the Secretary, Transport Department, Government of Himachal Pradesh.

Date :

H P FORM XLVIII STAND -A

(Rule 200 of the Himachal Pradesh Motor Vehicles Rules, 1991)

ORDER PERMITTING A SITE TO BE USED AS A STAND OF CLASS A

Permission is hereby given for the land described below to be used as a General Stand for Stage Carriages and other Transport Vehicles under arrangements to be made by or under the orders of the Government.

2. This order is made under sub-rule (2) of Rule 200 of the Himachal Pradesh Motor Vehicles Rules, 1991 and shall remain effective for a period of : year(s) unless previously revoked.

(Date)

District Magistrate,
.....*District.*

1. Description of the land included in the stand, with particulars of the owners of the land and of any buildings thereon.
2. Maximum number of vehicles which may be admitted to the Stand at any one time.
3. Fees shall be chargeable at the stand at the following rates.
4. Other conditions.

RENEWAL

The order is hereby renewed for a further period extending upto the 19

(Date)

District Magistrate,
.....*District.*

H P FORM-XLIX STAND-B

(Rules 200 and 203 of the Himachal Pradesh Motor Vehicles Rules, 1991)

ORDER PERMITTING A SITE TO BE USED AS A STAND OF CLASS B

1. Permission is hereby given for the establishment on the site described below, of a General Stand for Stage Carriages and other Transport Vehicles subject to the rules in the Himachal Pradesh Motor Vehicles Rules, 1991 and the conditions prescribed below.
2. It is intended that the management of the Stand shall be entrusted by an agreement of the kind described in rule of the said rules to a manager, who shall be responsible for the fulfilment of the conditions attached to its order and of all the provisions of the Act and the rules that may be applicable.
3. This order is made under sub-rule (2) of rule 200 of the Himachal Pradesh Motor Vehicles Rules, 1991 and will remain in force for a period of year (s), unless previously revoked.

(Date)

District Magistrate,
.....*District.*

1. Description of the land and buildings included in the site with particulars of their ownership, if it will be necessary for the manager to pay rent to a third party for the land or buildings, the amount so payable will be specified here.

2. Improvements which the manager should be required by the terms of his agreement to execute.

*Description of
Improvements*

*Date by which the
improvements are to
be completed.*

*Value
Rs.*

3. Staff to be maintained by the Manager at the Stand.
4. Records to be maintained by the Manager.
5. Other Special conditions to be observed by the Manager.
6. Maximum number of vehicles which may be admitted to the Stand at any one time.
7. Fees shall be chargeable at the Stand at the following rates.
8. Other conditions.

RENEWALS

The order is hereby renewed for a further period extending upto the.....19

(Date)

District Magistrate.

H P FORM L STAND-C

(Rules 200 and 204 of the Himachal Pradesh Motor Vehicles Rules, 1991)

ORDER PERMITTING A SITE TO BE USED AS A STAND OF CLASS C

1. Permission is hereby given for the land described below to be used as a general Stand for Stage Carriages and other Transport Vehicles, under arrangements to be made by the

Committee.....

Subject to the conditions specified in Chapter IX of the Himachal Pradesh Motor Vehicles Rules, 1991 and the further conditions set out below.

2. The sum agreed for the purpose of clause (c) in sub-rule 3 of rule 204 of the Himachal Pradesh Motor Vehicles Rules, 1991 (A sum not exceeding 3% of the gross receipts from fees at the stand).

3. This order made under sub-rule (2) of rule 200 of the Himachal Pradesh Motor Vehicles Rules, 1991 and shall remain in force for a period of.....year(s) unless previously revoked.

(Date)

District Magistrate,

.....*District.*

1. - Description of the land and buildings included in the site with particulars regarding the ownership of both land and buildings.
2. If any part of the land was acquired by the local authority by purchase during the twenty years preceding the first year of establishment of a stand on the site particulars should be given here of the amount spent by the local authority in acquiring it including particulars of the interest which the local authority is paying on any sum borrowed for the purpose of acquiring the land.
3. If any rent is being paid by the local authority to a private person for any of the land or buildings, give particulars.
4. Particulars of any buildings which have been erected by the local authority on the site for the purpose of the Stand, with their approximate value and date of construction.
5. Improvements which the local authority is authorised to carry out on the site, with the date by which each is expected to be completed

Amount which the local
authority is expected to expend
on the improvements
Rs.

6. Maximum number of Vehicles which may be admitted to the stand at any one time.
7. Records to be maintained in regard to the Vehicles using the stand.
8. Fees shall be chargeable at the stand at the following rates.
9. Other conditions.

RENEWALS

The order is hereby renewed for a further period extending upto the.....
.....19

Date :

District Magistrate.

H P FORM LI STAND-D

(Rules 200 and 206 of the Himachal Pradesh Motor Vehicles Rules, 1991)

ORDER PERMITTING A SITE TO BE USED AS A STAND OF CLASS D

1. By this order (name or company or person), of whom more detailed particulars are given below is permitted to use the land hereinafter described as a Company Stand, subject to the particular conditions herein given and to the rules contained in the Himachal Pradesh Motor Vehicles Rules, 1991.
2. No vehicles other than those belonging to the person or company in whose favour this order is made, and the other vehicles specially detailed below, shall be admitted to the Stand.

3. This order is made under sub-rule (2) of rule 200 of the Himachal Pradesh Motor Vehicles Rules, 1991 and shall remain in force for a period of..... year(s), unless previously revoked.

(Date)

District Magistrate,

..... District.

1. Particulars of the person, firm or company to whom the permission is given.
2. Description of the land and building included in the Stand.
3. Vehicles (other than those building to the person or company in whose favour the order is made) which may be admitted to the Stand.
4. Maximum number of vehicles which may be admitted to the stand at any one time.
5. Special instructions regarding the amenities to be provided at the Stand.
6. Other conditions.

RENEWALS

The order is hereby renewed for a further period extending upto the.....
.....19 ..

(Date)

District Magistrate,

..... District.

H P FORM LI M.A.C.T.A.

(Rules 215 of Himachal Pradesh Motor Vehicles Rules, 1991)

FORM OF APPLICATION FOR COMPENSATION

To

The Motor Accidents Claims Tribunal

I,.....son/daughter/
wife/widow of.....residing at
.....having been injured in motor Vehicle
accident hereby apply for the grant of compensation for the injury sustained. Necessary
particulars in respect of the injury, vehicle are given below.

I/We.....father/mother/son(s)/daughter(s)/
wife/widow of.....
residing at.....hereby apply as legal representative
for the grant of compensation on account of death of Shri/Kumari/injured sustained by
Kumari/Shrimati.....who died/was injured in a motor

vehicle accident. Necessary particulars in respect of the deceased/injured and the vehicle etc. are given below:—

1. Name and father's name of the person injured/dead (Husband's name in the case of married woman and widow).....
2. Full address of the person injured/dead.....
3. Age of the person injured/dead
4. Occupation of the person injured/dead.....
5. Name and address of the employer of the deceased, if any.....
6. Monthly income of the person injured/dead
7. Does the person in respect of whom compensation is claimed pay income tax ? If so, State the amount of income tax (to be supported by documentary evidence).....
8. Place, date and time of the accident
9. Name and address of the Police Station in whose jurisdiction the accident took place or was registered....
10. Was the person in respect of whom compensation is claimed travelling by the motor vehicle involved in the accident ? If so, give the names of places of starting of the journey and destination.....
11. Nature of injuries sustained.....
12. Name and address of the Medical Officer/Practitioner, if any, who attended on the injured/dead.....
13. Period of treatment and expenditure, if any, incurred thereon (to be supported by documentary evidence).....
14. Registration No. and the type of the motor vehicle involved in accident.....
15. Name and address of the insurer of the motor vehicle.....
16. Name and address of the owner of the motor vehicle.....

17. Has any claim been lodged with the owner/insurer, if so, with what result.....
18. Name and address of the applicant.....
19. Relationship with the deceased.....
20. Title to the property of the deceased.....
21. Amount of compensation claimed.....
22. Any other information that may be necessary/helpful in the disposal of the claim.....
23. Reasons or grounds for the late submission of the claim application on which condonation of delay is claimed.....
24. Cause of accident with brief description.....

I.....solemnly declare that the particulars given above are true and correct to the best of my knowledge.

*Signature or thumb impression
of the applicant.*

Notes.—(1) Applicant shall furnish spare copies of the application equal to the number of respondents cited in the claim application for sending the same notices to the respondents.

(2) The application is to be filed within 60 days of the occurrence of accident and reasons be given for late submission in the application.

(3) The applicants may send their claim/application through registered A. D. to the Motor Accidents Claims Tribunal.

